

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70449 of 2024

Arising Out of PS. Case No.-518 Year-2022 Thana- TAJPUR District- Samastipur

Rahul Kumar Son of Sri Ramanand Ray @ Dahaur Ray Resident of village-
Chaklal Shahi, P.S.- Tajpur, (Halai O.P), Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 153 of 2024 corresponding to G.R. No. 3081 of 2022 arising out of Tajpur Halai O.P. P.S. Case No. 518 of 2022 instituted for the offences under Sections 304B, 34 of the Indian Penal Code.

3. Earlier, vide order dated 05.12.2023 passed in Cr. Misc. No. 55059 of 2023, the prayer for grant of bail of the petitioner was rejected. This is the second attempt of the petitioner for grant of bail.

4. Prosecution case, in short, is that the petitioner alongwith the family members tortured and killed the deceased



for the non-fulfillment of demand of dowry.

5. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is the husband of the deceased. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.05.2023 and has no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Earlier, vide order dated 03.10.2024, the report regarding the present stage of the trial was called for from the learned court below and the same has been received. In the said report, it is reported that the case is pending for prosecution evidence.

8. Having considered the rival submissions made on behalf of the parties, this Court finds no fresh ground for reconsideration of the earlier order which has already been decided on merit, and also taking into consideration the present stage of the trial, this Court, at this juncture, is not inclined to grant bail to the petitioner.



9. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

10. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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