

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76811 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- EKANGARSARAI District- Nalanda

MANISH KUMAR S/o- AMIRAK PRASAD R/o- Shivdat Bigha Ps-
Ekangarsarai Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection
with Ekangarsarai P.S. Case No. 265 of 2022 instituted for the
offence under Sections 304(B)/34 of the Indian Penal Code.

3. As per allegation in the FIR, the informant alleged
that her daughter was married with the petitioner in year of 2022
and thereafter, the petitioner along with his family members
subjected her to cruelty due to non-fulfillment of dowry
demand. Ultimately, on 21.10.2022 the informant came to that
her daughter was committed murder by the accused persons.
Thereafter, the present FIR has been lodged.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. The petitioner
is husband of the deceased due to which he has falsely been



implicated in this case. There is no prior complaint against the petitioner regarding torturing or assaulting to the deceased. The real fact is that the deceased herself committed suicide as she was in mental depression. On the alleged date of occurrence, the petitioner saw the door of deceased's room was locked from inside and when he saw through the window, he found the deceased was hanging with scarf. The petitioner has no concern with the death of the deceased. The petitioner has got no criminal antecedent and languishing in judicial custody since 2.12.2022.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the death of the informant's daughter was caused within seven year of her marriage. The petitioner is husband of the deceased upon whom the full responsibility to keep his wife well. Postmortem report annexed with the case diary shows that the cause of death is due to Asphyxia as a result of hanging.

6. In pursuance to the direction of this court, a report dt. 5.2.2024 with regard to present stage of trial has been received by which it appears that the case is at the stage of adducing the prosecution evidence and trial is likely to be



concluded within a period of six months.

7. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

8. The trial Court is directed to expedite the trial and conclude the same within a period of six months, failing which the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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