

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74902 of 2023

Arising Out of PS. Case No.-16 Year-2023 Thana- PAHARPUR District- East Champaran

SANDEEP SAH S/o Rajendra Sah R/o village- Dudhiyawan, Kalwari Tola
Ward No.-2, P.S.- Paharpur, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 05-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Paharpur P.S. Case No. 16 of 2023 registered for the offences
punishable under Sections 302, 304(B) and 201/34 of the Indian
Penal Code.

3. As per prosecution case, petitioner and others
are said to have killed the informant's daughter for non
fulfillment of demand of dowry. It is alleged that they also
burned her dead body in order to conceal the evidence.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 01.08.2023 and bears no criminal
antecedent. Charge sheet has been submitted in the case and
there is no likelihood of tampering with the prosecution



evidence. Petitioner is innocent and has committed no offence alleged against him in F.I.R. and he has falsely been implicated in the present case. He further submits that the deceased was suffering from heart disease and due to heart attack, deceased died. He further submits that the information of death of the deceased has been communicated to the informant through telephone.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner. He further submits that petitioner is husband of the deceased and there is direct allegation of demand of dowry against the petitioner. He further submits that witnesses namely Madan Hazra and Krishna Sah, in their statement mentioned in para 3 and 4 of the case diary, have supported the allegation made against the petitioner in F.I.R.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

7. However, the learned trial court is directed to conclude the trial, preferably within nine months, from the date



of receipt/production of copy of this order to the court concerned. If the trial is not concluded within the stipulated period, petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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