

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77265 of 2023**

Arising Out of PS. Case No.-271 Year-2020 Thana- BARAUNI District- Begusarai

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Dhiraj Roy Late Ram Swarath Roy R/O Village- Amarpur, P.S.- Barauni
(Chakia), District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-01-2024 Heard Mr. Shubhesh Pandey, learned counsel for

the petitioner and Mr. Sunil Kumar Pandey, learned A.P.P. for

the State.

2. The petitioner seeks bail in connection with S.T.
No. 472 of 2021 arising out of Barauni (Chakia O.P.) P.S. Case
No. 271 of 2020 for the offences punishable under Sections
304B and 34 of the Indian Penal Code.

3. Earlier the prayer for bail of this petitioner has
been rejected vide order dated 22.03.2023 passed in Cr. Misc.
No. 55215 of 2022 considering the case of the petitioner on
merit.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the ground that the
petitioner is husband of the deceased. He further submits that
the the father of the deceased has lodged the present case



against the petitioner and his family members due to ulterior motive. The petitioner is rotting in judicial custody since 28.07.2020.

5. A report with regard to present stage of the trial has been called for by this Court vide order dated 01.12.2023 which has been received and forms part of this application at Flag-X. On perusal thereof, it would reveal that out of five witnesses, four witnesses have already been examined and one prosecution witness is to be examined.

6. Learned APP for the State vehemently opposed the prayer for bail of the petitioner.

7.Considering the facts and circumstances of the case as well as the report of the trial Court, I am not inclined to enlarge the petitioner on bail in connection with S.T. No. 472 of 2021 arising out of Barauni (Chakia O.P.) P.S. Case No. 271 of 2020, pending in the Court of Addl. Sessions Judge-III, Begusarai.

8. Accordingly, the prayer for bail of the petitioner is rejected. However, learned trial court is directed to expedite the trial and try to conclude it at the earliest.

(Rajesh Kumar Verma, J)

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