

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78183 of 2023

Arising Out of PS. Case No.-151 Year-2020 Thana- DESARI District- Vaishali

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Rupesh Kumar Singh @ Rupesh Kumar Son Of Late Pramod Singh Resident
Of Village And Police Station - Desari, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Sr. Advocate Mr. Ritwik Thakur, Advocate Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 14-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Desri P.S. Case No. 151 of 2020 dated 20.06.2020 registered for the offence punishable u/ss 304B read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have tortured the informant mentally and physically and committed murder of the daughter of the informant due to non-fulfillment of demand of Honda City car as dowry.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner who is husband of the informant's daughter. The petitioner neither demanded any dowry nor tortured the informant's daughter. Learned counsel has submitted that the incident is of Hajipur whereas the petitioner was posted in Aurangabad at N.T.P.C. Branch of State Bank of India and after coming to know about the present incident he took leave on 19.06.2020 and thereafter he came to his village. It is further submitted that as per the impugned order, it is evident that the police has recovered a suicide note and even in that suicide note there is no allegation against the petitioner or any of his family members. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. As per the post-mortem report, the cause of death is due to asphyxia caused by compression of neck by hard flexible substance (hanging).

6. Considering the aforesaid facts and circumstances of the case as well as the finding substance in the contention of learned counsel for the State, this Court is not inclined to grant



bail to the petitioner and the same is rejected in connection with Desri P.S. Case No. 151 of 2020 pending in the court of learned Additional Chief Judicial Magistrate-IX, Vaishali at Hajipur.

7. The trial court is directed to expedite the trial and conclude the same preferably within a period of 6 months.

(Chandra Prakash Singh, J)

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