

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79229 of 2023

Arising Out of PS. Case No.-302 Year-2023 Thana- RAMGARHWA District- East
Champaran

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PRADEEP SAH S/o Lal Babu Sah R/o village- Pachori Tola, P.S.-
Ramgarhwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Advocate
For the State	:	Mr. Anil Kumar Singh No. 1, APP
For the Informant	:	Mr. Binay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ramgarhwa P.S. Case no.302 of 2023 registered under sections 304B, 201, 120B and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his daughter was married to the petitioner herein. Soon after the marriage, the accused persons started to torture his daughter and assaulted her for non-fulfillment of demand of dowry and ultimately she was done to death. The accused persons cremated the dead body of his daughter.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the deceased. Admittedly the informant is not an eye witness to the occurrence.



Besides the allegations in the F.I.R. being general and omnibus, in course of trial, the informant was examined and he has not supported the prosecution case. The petitioner is in custody since 5.9.2023 and there being no chance of the petitioner being convicted in the trial, the petitioner be enlarged on bail. He undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner besides being named in the F.I.R., happens to be the husband of the deceased and there is direct allegation against him.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner being the husband of the deceased and the trial having commenced in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial and to conclude the same at the earliest preferably within a period of six months from the date of communication of this order.

(Partha Sarthy, J)

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