

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68339 of 2024

Arising Out of PS. Case No.-278 Year-2023 Thana- BARACHATTI District- Gaya

Manoj Kumar Sharma S/O Nemchand Thakur @ Chamari Thakur R/O
Village- Savarchak Tola Simra, P.S- Mohanpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 22-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Barachati P.S. Case No. 278 of 2023 instituted for the offences
under Sections 304B of the Indian Penal Code.

3. Prosecution case, in short, is that the petitioner
alongwith the family members tortured and killed the deceased
for the non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is the husband of the deceased. Learned counsel for
the petitioner submitted that general and omnibus allegation has
been made against the petitioner. No specific overt act is



alleged against the petitioner. Charge-sheet has been submitted in this case and charge has already been framed. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.03.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that there is specific allegation of torturing and killing the victim for the non fulfillment of demand of dowry against this petitioner.

6. Vide report dated 08.01.2025 sent by the learned court below, it has been reported thatailable warrant has been issued against the charge-sheeted witnesses on 07.01.2025 and no any witness has been examined till now.

7. Considering the aforesaid facts and circumstances of the case, there being specific allegation against this petitioner as also the present stage of the trial, this Court is not inclined to grant bail to the petitioner.

8. Learned trial Court is directed to expedite the trial.

9. However, if the trial is not concluded within a period of six months from today, petitioner will be at liberty to renew his prayer for grant of bail before the learned court below. If any such application is filed, learned court below shall



consider and dispose of the same on its own merit, without
being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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