

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78758 of 2024

Arising out of PS. Case No.-821 Year-2022 Thana- BAGHA District- West Champaran

Suresh Kewat, Son of Alha Kevat, Village- Naraipur, Ward no. 10, Ps- Pathakhauli OP (Bagha), Dist- West Champaran (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bharti Sahani, Daughter of Devnandan Sahani, R/o Village- Nautar (Jangal), Ps- Hanumanganj, Dist- Kushinagar, UP.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma, Advocate

For the Opposite Party/s: Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 08-05-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Bagha (Pathakhauli O.P.) P.S. Case No. 821 of 2022 (S.Tr. No. 803 of 2023) instituted for the offences under Sections 304(B) and 302/34 of the Indian Penal Code pending before the District & Additional Sessions Judge-I, Bagaha, West Champaran.

3. Allegation upon the petitioner is that he along with other named accused persons were demanding Rs. 25,000/- dowry and due to the delay in giving the same the petitioner along with others had strangled the daughter of the informant to death.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated as an afterthought. It is further submitted by learned counsel for the petitioner that the wife of the petitioner died due to some disease which could be ascertained by the inquest report in which it is stated that the cause of death occurred due to some disease. It is also submitted by learned counsel for the petitioner that the petitioner has clean antecedent and he is in custody since 28.11.2022 and no prosecution witnesses have been examined till date.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail and has stated that the wife of the petitioner was done to death within four days of the marriage at the house of the petitioner.

6. Considering the aforesaid submissions of respective counsels and taking into account that the wife of the petitioner died within four days of the marriage and there is no explanation on behalf of the petitioner with regard to her death and from perusal of the post-mortem it is evident that the cause of death was due to strangulation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected.

7. It is evident from the report sent by the Trial Court



that till 09.04.2025 no charge-sheet witnesses have been examined. In view of the same, let trial be expedited and prosecution evidence be closed at the earliest taking into account that the petitioner is in custody since 28.11.2022, i.e., more than two and half years without the trial being initiated.

8. With the aforesaid observations, the present bail application stands disposed of.

(Sourendra Pandey, J)

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