

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86249 of 2024

Arising Out of PS. Case No.-396 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Sunil Bind S/O Jawahar Prasad R/O Village - Sarewan, P.S.- Bhabua, District-
Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Adv.
For the Opposite Party/s	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Rajesh Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 03-03-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.
Perused the case diary.

2. The petitioner seeks bail in connection with
Bhabhua P.S. Case No. 396 of 2024 instituted for the offences
under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of committing
murder of the Informant's daughter by strangulating her due to
non-fulfillment of dowry demand. It is also alleged that the
husband of the deceased had an illicit relationship with one
Sonali Sharma.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to ulterior motive. The petitioner has not committed any offence as alleged in the F.I.R. The petitioner is the husband of the deceased. Learned counsel for the petitioner further submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that the petitioner has never demanded any dowry from the deceased and has also never tortured her. The petitioner has also no illicit relationship with the alleged Sonali Kumari and a false and concocted allegation has been made against him of there being an illicit relationship with her. There is no eye-witness to the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 05.06.2024 without any rhymes or reason. Charge-sheet has been submitted in this case and there is no chance of tempering with the evidence.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The petitioner is the husband of the deceased. The postmortem report supports the prosecution



case. The Investigating Officer, after completion of investigation, has submitted the charge-sheet under Sections 302/120B of the I.P.C. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also the petitioner being the husband of the deceased, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously. If the trial is not concluded within the a period of six months, the petitioner will be at liberty to renew his prayer for bail before the court below which will be decided on its merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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