

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.6566 of 2014

Arising Out of PS.Case No. -41 Year- 2013 Thana -CHANDAN District- BANKA

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Raghu Das S/o Nepal Das Resident of Village- Shekhpura Tanrr, P.S-  
Chandan, District- Banka.

.... .... Petitioner/s

Versus

The State Of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN  
AMANULLAH**

**ORAL ORDER**

4. 22.10.2014 Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

The petitioner seeks bail in Chandan P.S. Case  
No. 41 of 2013 dated 01.07.2013 instituted under Sections  
304B/34 of the Indian Penal Code.

Pursuant to requisition by the Court, the  
carbon copy of the case diary has been received from the  
Superintendent of Police, Banka and F.S.L. report in a sealed  
cover from the Director, Forensic Science Laboratory, Bihar,  
Patna. The sealed cover has been opened by learned A.P.P.  
and it contains original report which has been laminated  
along with a forwarding letter to the Superintendent of Police,  
Banka. The Court has perused the same.

Learned counsel for the petitioner submits that  
though he is the husband and the allegation is that the

deceased was killed due to non-fulfillment of demand of dowry but the allegation is false. It is further submitted that the petitioner having clean antecedent is in custody since 01.07.2013. It is submitted that the deceased was a patient of epilepsy and thus she has fallen in the well herself without there being any foul play.

Learned A.P.P., upon going through the case diary, submits that nothing has come during investigation even to indicate that the deceased was suffering from epilepsy and thus the body having been found in the well clearly indicates foul play. It is also submitted that death had occurred after a little over one year of marriage. It is further submitted that the witnesses have stated that the deceased was killed and then her body was thrown in the well which is corroborated by the medical report in which no external injury has been found on the body. Learned counsel submits that thus there is strong possibility that the deceased may either have been forcibly thrown in the well leading to her death or after killing her the body thrown in the well.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail. Accordingly, the application stands dismissed.

However, the Court below shall expedite the trial and conclude the same within six months.

The office shall return the carbon copy of the case diary as well as the original F.S.L. report which has been received by the Court to the Superintendent of Police, Banka forthwith.

**(Ahsanuddin Amanullah, J.)**

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