

(2023) 07 JH CK 0032
In the Jharkhand High Court
Case No : Bail Application No. 1583 Of 2023

Uttpal Mandal

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 20-07-2023

Acts Referred:

Indian Penal Code, 1860 — Section 34, 302

Citation : (2023) 07 JH CK 0032

Hon'ble Judges : Rajesh Kumar, J

Bench : Single Bench

Advocate : Pratiush Lala, P.Jha

Final Decision : Dismissed

Judgement

Rajesh Kumar, J

1. Heard the parties.
2. The applicant, who is in custody since 14.09.2022, has approached this Court for grant of regular bail in connection with Borio (J) P.S. Case No.232 of 2022, registered for the offence under Sections 302/34 of IPC.
3. The applicant is an accused of committing murder of his own wife.
4. It has been submitted by learned counsel for the applicant(s) that complete set of F.I.R. alongwith its enclosure have been annexed with this bail application and there is no suppression on his/her part. Innocence has been claimed by the learned counsel for the applicant and undertaking has been given for participation in the trial. It has been submitted by referring to the medical evidence that it has not been ascertained that the death is homicidal. Further, three witnesses have already been examined and all these three witnesses have been declared hostile. On the above basis, prayer for bail has been made.
5. Learned A.P.P. has opposed the prayer for bail of the applicant and submitted that the death is within seven years of marriage and there is an allegation of

demand of dowry.

6. Considering the materials available on record and the stage of the trial, I am not inclined to enlarge the applicant on bail, at this stage. Accordingly, prayer for bail of the applicant stands rejected.

7. However, the court below is directed to expedite the trial and conclude the same within six months from the date of receipt/production of copy of this order.