

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22474 of 2015

Arising Out of PS.Case No. -149 Year- 2013 Thana -KUMARGHAND District- MADHEPURA

1. Prawesh Yadav @ Parwesh Kumar Yadav @ Pawan Yadav @ Pawan Kumar Yadav S/o Krishna Mohan Yadav R/o village - Belha, P.S. Kumarkhand (Bhatani O.P.), District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 15-09-2015

Heard both sides.

Petitioner seeks bail in a case registered for the offences punishable under sections 304(B)/34 of the Indian Penal Code.

The informant father of the deceased made allegation that his daughter was married to the petitioner in the year 2010. Petitioner and other accused persons killed his daughter for non fulfillment of dowry demand and cremated her dead body.

Mr. Sharda Nand Mishra, learned counsel for the petitioner, submits that of course, petitioner is the husband of the deceased and the deceased gave birth to a child and she fell ill and

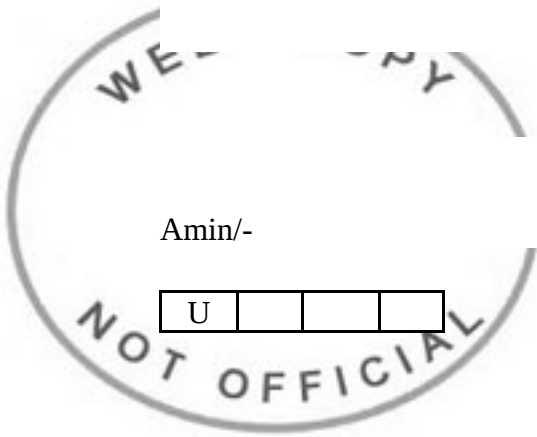
she was under treatment of Dr. K. P. Chaudhary. On account of illness she died while she was being taken to Patna. The villagers stated different facts in different paragraphs of the case diary.

From perusal of the record it appears that the informant and other witnesses have very categorically stated that the petitioner killed his wife for non fulfillment of dowry demand and her dead body was cremated. From perusal of prescription of the doctor, it appears that the deceased had some bleeding from her mouth. She was advised to take Electral powder. It appears that the deceased was not suffering from any serious disease. The dead body of the deceased was hurriedly cremated without informing the parents of the deceased.

Considering the facts aforesaid and the fact that the petitioner is the husband, I am not inclined to enlarge the petitioner on bail in connection Kumarkhand (Bhatani O.P.) P.S. Case No. 149 of 2013 pending in the court of the learned Chief Judicial Magistrate, Madhepura. His prayer for bail is, accordingly, rejected.

The learned trial court is directed to expedite the trial and hold the same on day to day basis and conclude the same within nine months from the date of receipt/production of a copy of this order. If the trial is not concluded within the time aforesaid,

the petitioner may renew his prayer for bail firstly in the trial court.



(Prabhat Kumar Jha, J)

Amin/-

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