

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9870 of 2015

Arising Out of PS.Case No. -65 Year- 2006 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Guddu Das Son of Late Rameshwar Das Resident of Village- Balua Briti
tola, P.O . + P.S.- Paharpur, District- East Champaran,.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. M.Rab(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

6 04-08-2015

Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under sections 304(B), 201/34 of the Indian Penal Code.

Petitioner is the husband of the deceased. The informant alleged that he had gone to see his daughter just a day before the occurrence. On the date of occurrence some verbal altercation took place for not preparing bread and the petitioner assaulted his wife. When the informant went to save his daughter, he was also assaulted and was driven out of the house. It is alleged that the accused persons killed his daughter and cremated her dead body.

Learned counsel for the petitioner submits that the informant participated in the cremation and lodged the case after two days of the occurrence but from the record itself it appears that the informant was driven out of the house on the date of occurrence itself when he objected the assault made by the petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail in connection with Paharpur P.S. Case No. 65 of 2006, T.R. No. 7671 of 2014 pending in the court of the learned Sub-divisional Judicial Magistrate, Sadar, Motihari. This application for bail is, accordingly, rejected.

The trial court is directed to expedite the trial 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)

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