

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41014 of 2015

Arising Out of PS.Case No. -24 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Jagannath Ram @ Jagra Nath Ram, S/o Jai Mangal Ram, Resident of
Village- Harnathpur Parsauni, P.S.- Pakri Dayal, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.51396 of 2015

Arising Out of PS.Case No. -24 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Jai Mangal Ram Son of Basu Ram Resident of village Harnathpur,
Parsauni, P.S. Pakaridayal, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.41014 of 2015)

For the Petitioner/s : Mr. Jagdish Prasad

For the Opposite Party/s : Mr. Pushpa Sinha (App)

(In Cr.Misc. No.51396 of 2015)

For the Petitioner/s : Mr. Jagdish Prasad

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 14-12-2015 Both the above stated petitions have arisen out of

Pakri Dayal P.S. Case No. 24 of 2014 registered for the offences

punishable under Sections, 304B/34 of the Indian Penal Code and

accordingly, both the above stated petitions are being disposed of

by this common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioner in Cr. Misc. No. 41014 of 2015 is husband whereas petitioner in Cr. Misc. No. 51396 of 2015 is father in law of the deceased and are languishing in jail custody since 12.05.2015 and 09.07.2014, respectively. The accusation against them is that they committed murder of the deceased due to non fulfilment of illegal demand but admittedly, the dead body was disposed of before the institution of the present case.

The stand of the petitioners is that deceased had given birth to a child two days prior to her death and unfortunately she died on account of diarrhoea and information regarding her death was given to her parents who participated in cremation but subsequently, the informant lodged the present case with ulterior motive. It is further contended by him that earlier, the prayer for bail of the petitioner in Cr. Misc. No. 51396 of 2015 was rejected by this court at the initial stage of the case and now, charge has already been framed on 11.05.2015 but up till now not a single prosecution witness could be examined.

Considering the aforesaid facts and circumstances as well as submissions of the parties, petitioner in Cr. Misc. No.

51396 of 2015, namely, Jai Mangal Ram is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-XI, East Champaran, Motihari in connection with Sessions Trial No. 279 of 2015 arising out of Pakri Dayal P.S. Case No. 24 of 2014.

So far as petitioner in Cr. Misc. No. 41014 of 2015 is concerned, his prayer for bail stands rejected.

However, learned trial court is directed to expedite the trial of aforesaid petitioner and try to conclude the same as early as possible, preferably within six months from the date of receipt/production of copy of this order, failing which the petitioner may renew his prayer for bail before the trial court itself.

(Hemant Kumar Srivastava, J)

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