

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36271 of 2015

Arising out of PS.Case No. -494 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

Babloo Sah, Son of Narayan Sah, resident of village - Kadhaiya, Police Station - Sour Bazar, District – Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : M/S. Shekhar Kr. Singh & Pankaj Kumar
Jha, Advocates.

For the Opposite Party : Mr. Ataur Rahman(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 07.01.2015
in connection with Sour Bazar P.S. Case No. 494 of 2014 for the
offences instituted under Sections 304(B) and 201/34 of the IPC.

The prosecution story, in brief, is that the marriage of his
daughter, Puja Kumari, has been solemnized with Babloo Sah in
the year 2011 according to Hindu Custom and rites and she was
residing at her matrimonial house with her husband and in-laws
and after some time the accused persons started making demand of
Rs. 50,000/- dowry and due to non-fulfilment of dowry demand
they started committing cruelty and torture on the persons of Puja

Kumari and the informant came to know that the accused persons got knowledge on 04.11.2014 the accused persons committed murder of Puja Kumari.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 07.01.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner.

On behalf of the State it has been submitted that the petitioner is the husband of the deceased. Presumption is against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Sour Bazar P.S. Case No. 494/2014, corresponding to G.R. No. 2902/2014, S.T. No. 154 of 2015. Anyhow, the Trial Court is directed to expedite the trial and conclude the same preferably within a period of one year from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)