

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31336 of 2015

Arising Out of PS.Case No. -260 Year- 2014 Thana -BIHPUR District- BHAGALPUR

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1. Hira Paswan S/o Koudhu Paswan resident of village Hario, P.S. - Bihpur,
District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Prakash Singh

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 15-10-2015 Supplementary affidavit is filed on behalf of the

petitioner.

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

Petitioner happens to be husband of the deceased and
there is specific allegation of illegal demand as well as torturing
the deceased against the petitioner. The deceased died within three
years of her marriage and her dead body was disposed of.

The contention on behalf of the petitioner is that
deceased died of her ailment and she was got treated but
unfortunately, she could not be saved. It is further contended that
the informant participated in cremation of the deceased but later
on, the informant lodged this false case with malafide intention.

Regard being had to be facts and circumstances as well as submissions of the parties, I am not inclined to grant privilege of bail to the petitioner at least, at this stage and accordingly, his prayer for bail in connection with Bihpur P.S.Case No. 260 of 2014, pending in the court of Sub-Divisional Judicial Magistrate, Naugchhiya stands rejected.

However, the learned Sub-Divisional Judicial Magistrate, Naugchhiya/ concerned court is directed to commit the case of the petitioner to the court of session within four weeks from the date of receipt/ production of copy of this order in accordance with law and after commitment, the session court shall expedite the trial of the petitioner and try to conclude the same as early as possible.

(Hemant Kumar Srivastava, J)

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