

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39213 of 2014

Arising Out of PS.Case No. -23 Year- 2014 Thana -KOPA District- SARAN

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Neeraj Thakur, S/o Budhu Thakur, R/o Vill. - Sitalpur, Bareja, P.S. -
Daudpur, District - Saran at Chapra.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nawal Kishore Singh, Advocate.

For the Opposite Party : Mr. Arun Kumar Singh-5(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 17-04-2015 Heard both sides.

The petitioner seeks bail in Kopa P.S.Case No. 23 of
2014 registered under Sections 328 and 302 of the Indian Penal
Code.

The mother of the deceased alleged that her daughter
and son-in-law came to her house from Punjab and both were
quarrelling with each other as her son-in-law did not want to take
his wife with him. When the informant came to her house she saw
her daughter, namely, Kanti Devi, was restless and her son-in-law
was not present. She suspected that her son-in-law might have
given poison to her daughter.

Learned counsel for the petitioner submits that there is
no eye witness of the occurrence. No body has seen the petitioner

giving poison to his wife. During the course of investigation, it has come that on account of quarrelling the deceased herself consumed poison. The case is compromised.

Having considered the facts that when the informant left her house, the deceased and her husband were only present in the house and when the informant returned, the petitioner was not found in the house and the daughter of the informant was restless.

From perusal of F.S.L. report, it appears that in the viscera of the deceased, dark brown Celphos was found. It therefore, appears that the deceased died on account of consumption of Celphos.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the same is rejected in Kopa P.S. Case No. 23 of 2014, pending in the court of learned J.M. Ist Class, Saran at Chapra.

The Trial Court is directed to expedite the trial and conclude the same within nine months from the date of receipt of this order. If the trial is not concluded, the petitioner may renew his prayer for bail firstly in the Trial Court.

U.K./-

(Prabhat Kumar Jha, J)

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