

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3786 of 2015

Arising Out of PS.Case No. -47 Year- 2013 Thana -TIKAPATTI District- PURNIA

Paltu Mandal Son of Muso Mandal Resident of vill-Simra, P.S-Tikapatti,
Distt.-Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Tikapatti P.S. Case No.
47 of 2013 dated 31.07.2013 instituted under Sections 304B/34 of
the Indian Penal Code.

This is the second attempt of the petitioner for bail as
earlier his prayer for bail had been rejected on 21.02.2014 in
Criminal Miscellaneous No. 52210 of 2013 by a co-ordinate
Bench of this Court.



Learned counsel for the petitioner submits that though he is the husband and death has occurred due to poison but it is the case of suicide since during investigation it has come that there was differences between the husband and the wife for a few months prior to the incident and this is the reason why she has herself consumed poison. Learned counsel submits that the petitioner having no criminal antecedent is in custody since 02.08.2013.

Learned A.P.P., upon going through the case diary, opposes the prayer for bail. He submits that the petitioner being the husband cannot shirk form the responsibility of the death of the wife when the marriage was just three years old and also there being a two years old minor child. It is submitted that even if for argument sake it is admitted that the deceased herself consumed poison, the petitioner has to take responsibility of creating such a circumstance which led to her taking such an extreme step.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

Accordingly, the application stands dismissed.

However, the court below shall expedite the trial and conclude the same within nine months. If all the accused are not

before the Court, the Court can bifurcate the trial of the accused persons who are before it but the direction given for conclusion of the trial be complied with.

(Ahsanuddin Amanullah, J)

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