

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18393 of 2015

Arising Out of PS.Case No. -93 Year- 2014 Thana -MANJHI District- SARAN

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Chandan Giri. Son of Yogendra Giri. Resident of village - Sanvarsa Ke Mathiya, P.S.- Manjhi, District - Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearanc :

For the Petitioner/s : Mr. Vishwanath Pd. Singh, Sr. Advocate
Mr. Sanjay Kumar Singh, Advocate.

For the Opposite Party/s : Mr. B.N. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 15-09-2015

Heard Mr. Vishwanath Prasad Singh, learned senior counsel for the petitioner, learned A.P.P. for the State as well as learned counsel for the informant.

The petitioner seeks bail in a case under Section 304B/34 of the Indian Penal Code.

The petitioner is the husband of the deceased. The brother of the deceased made allegation against the petitioner that he was continuously torturing the sister of the informant. It is submitted that no external injury was found. The deceased was pregnant and she was regularly under the treatment of the doctor. There is a possibility that the deceased might have consumed poison as there was no external injury. No injury was found which could show that any external force was used for administering poison.

Learned A.P.P. as well as learned counsel for the informant, on the other hand, opposed the prayer for bail and submitted that there is forensic report against the petitioner.

It appears that the informant, brother of the deceased, made allegation against the husband of the deceased (the petitioner) that the petitioner was always torturing his wife. Viscera report shows presence of Phosphorous pesticide, which is a highly poisonous substance. The deceased died on account of poisoning.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail in Manjhi P.S. Case No. 93 of 2014. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt / production of this order.

(Prabhat Kumar Jha, J)

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