

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8573 of 2015

Arising Out of PS.Case No. -259 Year- 2013 Thana -BAHADURPUR District- DARBHANGA

1. Sanjiv Kumar @ Sanjiv Kumar Deo S/o Jitendra Lal Deo, resident of Village - Mekna, P.S. Bahadurpur District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. P.N.Pandit(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 06-05-2015 Heard learned counsel for the petitioner, the informant and learned APP.

The petitioner seeks bail in Sessions Trial No.19 of 2015 arising out of Bahadurpur P.S.Case No.259 of 2013 registered under Sections 498A, 494, 323, 379, 313 and 504 of the IPC and Section 3 and 4 of the Dowry Prohibition Act.

The wife made allegation that her husband (petitioner) and his other family members tied her hands and the petitioner assaulted her in her abdomen while she was pregnant. A premature child was born on 9.10.2012, who died within two days of immature birth. The informant further disclosed that the petitioner solemnized second marriage.

Learned counsel for the petitioner submits that the petitioner filed an informatory petition. The informant gave birth to a child. The petitioner has also applied for issuance of a certificate of birth which is issued by the Darbhanga Municipal Corporation.

On the other hand, learned counsel for the informant and

learned APP oppose the prayer for bail and submit that the petitioner procured fake documents and he also solemnized second marriage with Laxmi Devi and thereafter filed divorce case against the wife and that the petitioner being he husband of the informant, assaulted his wife causing miscarriage and forceful birth to a immature child, who died within two days.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail and accordingly, the same is **rejected**.

The trial court is directed to expedite the trial and conclude the same within a period of nine months from the date of receipt or production of a copy of this order. If the trial is not concluded within the stipulated period without any fault of the petitioner, he may renew his prayer for bail

(Prabhat Kumar Jha, J)

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