

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34007 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -KATIHAR MUFFASIL District- KATIHAR

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1. Md. Equbal @ Md. Equabal Son of Late Bahar Ali resident of village -
Hajipur, P.S. Muffasil, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 10-11-2015

Heard learned counsel for the petitioner as well

as the learned A.P.P.

The petitioner seeks bail in Muffasil P.S. Case
No. 44 of 2015 registered for the offences punishable under
sections 302, 120B, 436/34 of the Indian penal Code, pending in
the court of Shri S.K. Sharma, J.M. Ist Class, katihar.

Allegedly the petitioner killed his own daughter
aged one and half years in collusion with other co-accused after
assaulting her with fat & palm and also burnt the house due to
family dispute.

Submission is of false implication and that the
petitioner has arranged love marriage with the daughter of the
informant and both were leading conjugal life happily and the

informant being annoyed lodged this case taking advantage of accidental death of the daughter of the petitioner who was burnt at the time of cooking food and as such the petitioner is suffering in custody since 29.05.2015 and he deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the wife of the petitioner has also supported the allegation that the petitioner killed the daughter after assaulting her by feet and fat and pressing the neck and the doctor during postmortem examination has also found external injury and cause of death has been found due to neurotic hemorrhage and shock due to injury caused on vital organ by hard and blunt substance.

In the facts and circumstances stated above and considering the seriousness of the nature of offence, this court is not inclined to enlarge the petitioner on bail. Accordingly the prayer for bail is rejected. However, the trial court is directed to expedite the trial and conclude the same preferably within six months after taking the same on day to day basis.

(Jitendra Mohan Sharma, J)

M.Rahman/-

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