

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33617 of 2014

Arising Out of PS.Case No. -24 Year- 2014 Thana -NAUTAN District- SIWAN

Ashok Shahi @ Pintu Shahi S/o Late Lalan Shahi, R/o Village- Agauta,
P.S.- Nautan, District- Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 13-01-2015 Heard learned counsel for the petitioner and learned
counsel, appearing for the State.

The petitioner is husband of the deceased and
admittedly, the deceased died due to burn injury within 7 years of
her marriage and apart from this, the informant as well as his
family members have very clearly stated about the illegal demand
as well as cruelty.

Learned counsel for the petitioner submits that after
death of the deceased, the statement of own nephew of the
informant was recorded at PMCH, Patna but the own nephew of
the petitioner had stated that the deceased was caught in fire
accidentally and almost all the eye witnesses of the alleged
occurrence, made similar statement. It is further contended by him
that after institution of the present case, the informant realized his

fault and filed an affidavit before the trial court, disclosing the real facts.

Considering the aforesaid facts as well as submission of the parties. I am not inclined to grant privilege of bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Nautan P.S. Case No. 24 of 2014 pending in the court of Chief Judicial Magistrate, Siwan stands rejected.

However, learned court below is directed to commit the case of the petitioner to the court of sessions in accordance with law within three weeks from the date of receipt of the order and after commitment, the concerned Sessions Court should expedite the trial of the petitioner and if, in course of trial, the informant and his family members failed to support the prosecution case, the learned trial court shall consider the bail prayer of the petitioner on its own merit without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

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