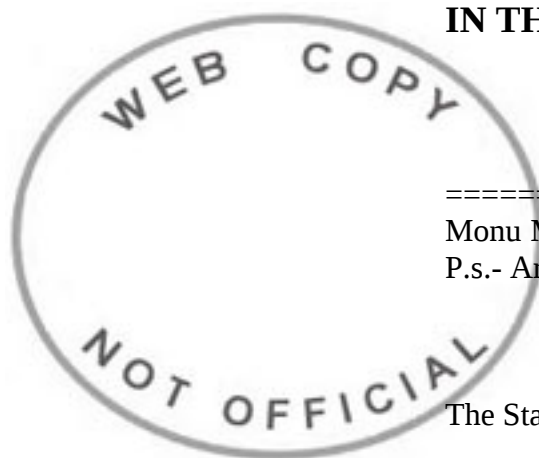




IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36491 of 2015

Arising out of PS.Case No. -111 Year- 2014 Thana -ARARIA District- ARARIA

Monu Mandal @ Munna, S/o Jhabru Mandal, Resident of Village- Paiktola,
P.s.- Araria, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Kundan Kumar Singh, Advocate.

For the Opposite Party : Mr. Upendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 24.02.2015
in connection with Araria P.S. Case No. 111 of 2014 for the
offences instituted under Sections 304(B), 349 of the IPC and ¾ of
the D.P. Act.

The prosecution story, in brief, is that the informant
Ashok Mandal is the brother of the deceased Mamta Devi. The
petitioner is the husband of the deceased. The informant has
lodged this case against the petitioner and his other family

members. It is alleged that the accused persons were subjecting the deceased to cruelties for dowry and lastly they poisoned her to death.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 24.02.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioner. The petitioner has falsely been implicated in the present case for oblique reason.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and he is the husband of the deceased. It is specific case of poisoning. F.S.L. report is said to have been received in a sealed cover, same is opened in the Court room. From perusal of the F.S.L. report, it appears that the poison is said to have been found.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Araria P.S. Case No. 111/2014, G.R. No. 732 of 2014, pending in the court of the learned C.J.M., Araria. Anyhow, the learned court below is directed to take all necessary steps to expedite the trial and conclude the same preferably within a period of one year from

the date of receipt/production of copy of this order.

Let the F.S.L. report be sent back to the office of the
Director, Forensic Science Laboratory, Bihar, Patna.

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(Sudhir Singh, J)