

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39826 of 2015

Arising out of PS.Case No. -374 Year- 2014 Thana -DALSINGHSARAI District- SAMASTIPUR

Arjun Kumar Chaudhary @ Vijay Chaudhary, S/o Yogendra Chaudhary,
resident of Village- Rampur Jalalpur, P.S. Dalsingsarai, District-
Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Suraj Pd. Sinha, Sr. Advocate.

For the Opposite Party : Mr. Dr.Ravindra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 22.06.2014
in connection with Dalsingsarai P.S. Case No. 374 of 2014 for the
offences instituted under Sections 302 and 328 of the IPC.

The prosecution story, in brief, is that the informant's
daughter was married with the petitioner Arun Kumar @ Vijay
Choudhary 20 years ago according to Hindu rites and rituals. After
marriage, her son-in-law used to torture his daughter and used to
assault her. Many times the informant and villagers tried to pacify
the matter but all in vain. His daughter gave a birth of a female

child but she died after 4-5 months due to non providing proper medicine and milk. On 22.08.2014 at 4.00 P.M. he came to know that his daughter was being tortured and someone has administered poisonous substance to his daughter due to which she died. He alongwith his relative went there and saw the dead body of his daughter was lying.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 22.06.2014 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The alleged occurrence is said to have taken after 25 years of marriage. There is no direct or indirect evidence against the petitioner.

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. FSL report indicates that Zinc Phosphide was detected in dark brown fluid contained in the plastic jar.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Dalsingsarai P.S. Case No. 374/2014, pending in the court of the learned A.C.J.M., Dalsingsarai, Samastipur. 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 nine months from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)

