

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3202 of 2015

Arising Out of PS.Case No. -121 Year- 2014 Thana -BAKHRI District- BEGUSARAI

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1. Ashok Pandey S/o Late Deoki Pandey R/o village - Gokhalpur, P.S. Bajitpur, District - Nawada, At Present R/o village - Ashok Pokhar, P.S. Bakhri, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Dayal

For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 20-04-2015

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The accusation against the petitioner is that he sprinkled K. Oil and lit fire on the person of his wife, who died in course of her treatment. In course of investigation, two children of the petitioner as well as mother-in-law of the petitioner claimed themselves to be eye witnesses of the alleged occurrence.

The contention on behalf of the petitioner is that the deceased was caught in fire, accidentally, and as a matter of fact, the petitioner happens to be habitual drunker and due to aforesaid habit of the petitioner, the mother-in-law of the petitioner implicated him in the alleged crime. It is further contended that

when mother-in-law of the petitioner realized her fault, she retreated the allegation and filed compromise petition.

Regard being had to the facts and circumstances of the case as well as submission of the parties, in my view, it is not a fit case for grant of bail, at least, at this stage and accordingly, prayer for bail of the petitioner in connection with Bakhri P.S. Case No. 121 of 2014 pending in the court of Chief Judicial Magistrate, Begusarai/concerned court stands rejected.

However, the learned Chief Judicial Magistrate, Begusarai/concerned court is directed to commit the case of the petitioner to the court of Sessions in accordance with law within two weeks from the date of receipt/production of copy of this order, if the same has not been committed to the court of Sessions as yet.

It is made clear that if, the case of the petitioner has already been committed to the court of Sessions, the concerned court should expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within six months from the date of receipt/production of copy of this order.

(Hemant Kumar Srivastava, J)

A.K.V./-

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