

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28862 of 2015

Arising Out of PS.Case No. -189 Year- 2014 Thana -MUNGER MUFFASIL District- MUNGER

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1. Rajan Kumar Tanti son of Baleshwar Tanti Resident of village - Ghulalpur, Police Station - Mufassil, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anamul Haque

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary 1(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 29-10-2015 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and learned counsel, appearing for the informant.

Petitioner happens to be husband of informant's sister who along with her minor child died in other than normal circumstances within a year of her marriage.

The contention on behalf of the petitioner is that the petitioner and informant's sister (deceased) had solemnized their love marriage and therefore, there was no occasion either for petitioner or his family members to make demand of dowry. It is further contended by him that as a matter of fact, on the alleged date of occurrence, deceased insisted to go to fair, which was refused by the petitioner and being annoyed by the aforesaid

refusal, she along with her minor child, jumped into the well as a result of which, she along with her child died.

On the other hand, learned counsel appearing for informant refers paragraph-6 of the case diary and submits that the nephew of the informant was present in the house of the petitioner at the time of alleged occurrence and the aforesaid eye witness claimed that the deceased of this case was pushed into well by petitioner and his other family members.

Considering the above-said facts and circumstances as well as submission of the parties, I am not inclined to release the petitioner on bail at least, at this stage and accordingly, his prayer for bail in connection with Munger Muffasil P.S. Case No. 189 of 2014 pending in the court of learned Sub Divisional Judicial Magistrate, Munger stands rejected.

However, the concerned court must commit the case of the petitioner to the court of sessions in accordance with law as early as possible, if, the same has not been committed as yet, and after commitment, the Sessions Court should expedite the trial of the petitioner.

(Hemant Kumar Srivastava, J)

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