

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42013 of 2014

Arising Out of PS.Case No. -138 Year- 2009 Thana -MOTIPUR District- MUZAFFARPUR

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1. Balendra Rai @ Balinder Rai son of Bhuneshwar Rai Resident of village
- Juneda, P.O. and P.S. Motipur, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 10-02-2015

Heard both sides.

The petitioner seeks bail in Motipur P.S. Case
No. 138 of 2009 registered under sections 302, 201/34 of the
Indian Penal Code.

The father of the deceased alleged that after
marriage of his daughter Rima Kumari the accused persons
including the petitioner made demand of dowry and his daughter
was killed and her dead body was cremated.

Learned counsel for the petitioner submits that
during the course of investigation many witnesses in paragraph
nos. 9, 10 and onwards have disclosed that the deceased had
quarrel with her husband and her husband went to market but
thereafter the deceased committed suicide by hanging herself on

a Sisam Tree. It is further submitted that the informant has already compromised the case.

On perusal of the record it appears that the deceased was married in the year 2008 with the petitioner and within one year the deceased was killed or she committed suicide and even the informant (father) of the deceased was not informed before cremation of the dead body. Hence I am not inclined to enlarge the petitioner on bail. The same is rejected. If the case is not committed, the learned Magistrate is directed to commit the case to the court of sessions and the learned sessions judge shall concluded the trial within six months from the date of receipt/production of a copy of this order. If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail firstly before the trial court.

(Prabhat Kumar Jha, J)

M.Rahman/-

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