

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37379 of 2015

Arising out of PS.Case No. -1250 Year- 2014 Thana -SASARAM MUFFSIL District- SASARAM (ROHTAS)

Raju Singh, son of Shrinivas Singh, resident of village & P.O.- Samadiha, P.S.- Sasaram (M), District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Subash Kumar, Advocate.

For the Opposite Party : Mr. Rajendra Singh Shastri Ji (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 30-10-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 28.02.2015 in connection with Sasaram (M) P.S. Case No. 1250 of 2014 for the offences instituted under Sections 304(B), 201 and 120(B) of the IPC.

The prosecution story, in brief, is that the informant Ram Nagina Rai had filed a written report before Sasaram (Muf.) P.S. stating therein that his daughter, namely, Puja Kumari, was married with Raju Singh(petitioner) and when she started living in her in-laws house, all the members of her in-laws family started torturing for fulfilment of dowry demand. They off and on beaten her and ultimately they committed her murder by pressing her neck. Petitioner is husband of the deceased and there is specific

allegation against him about torturing for fulfilment of dowry demand.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 28.02.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. There is no direct or indirect evidence against the petitioner nor there is any eye witness to the alleged occurrence. The deceased is said to have taken poison and committed suicide.

On behalf of the State it has been submitted that the petitioner is husband of the deceased. The presumption is against him in the law.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Sasaram (M) P.S. Case No. 1250/2014, pending in the court of the learned C.J.M., Rohtas at Sasaram. Anyhow, the Trial Court 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.

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(Sudhir Singh, J)