

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40920 of 2015

Arising Out of PS.Case No. -229 Year- 2014 Thana -ARA MUFFSIL District- BHOJPUR

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1. Anil Pandey son of late Haridwar Pandey Resident of Village -sarangpur
P.s.Ara Muffasil,district Bhojpur Ara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Singh

For the Opposite Party/s : Mr. Bharat Bhushan(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-09-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner happens to be elder brother-in-law of the deceased and it appears from perusal of the record that marriage of the deceased had taken place five years back and after marriage she was subjected to cruelty by her husband on account of non fulfillment of dowry demand. Thereafter she lodged criminal case against in-laws including the petitioner but due to intervention of well wishers matter was compromised and deceased again came to her matrimonial but she was again subjected to cruelty and on the date of alleged occurrence, allegedly, petitioner lit fire on the person of the deceased as a result of which she sustained burn injury and after giving her statement in hospital she died.

Considering the aforesaid facts and circumstances of the case, particularly keeping in mind that the statement of deceased appears to be her dying declaration, I am not inclined to grant privilege of bail to the petitioner and accordingly, his prayer for bail in connection with Ara Muffasil P.S.Case No. 229 of 2014, pending in the court of Chief Judicial Magistrate, Bhojpur, Ara stands rejected.

Since petitioner is in jail custody since 01.11.2014 and it appears that up till now the case of the petitioner has not been committed to the court of sessions, the 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 and after that the sessions court should expedite the trial of the petitioner as early as possible.

(Hemant Kumar Srivastava, J)

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