

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8568 of 2016

Arising Out of PS.Case No. -321 Year- 2015 Thana -BANKA District- BANKA

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1. Suresh Yadav S/o Babulal Yadav Resident of village - Sonari, Police Station - Banka, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. P.N.Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 20-05-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 304 (B) and 201/34 of the I.P.C

Hiriya Devi, the daughter of the informant, was married to the petitioner about one year ago and allegedly due to non fulfillment of demand of Rs. 60,000/- to purchase the motorcycle she was being tortured by the petitioner and other in-laws and further the petitioner and other in-laws assaulted her and ultimately killed her and cremated the dead body.

Submission is of false implication and that the petitioner never demanded anything, he has got no criminal antecedent, as a matter of fact the wife of the petitioner died

natural death and in presence of the informant and others cremation was done but thereafter the informant lodged this false case.

The learned A.P.P. opposes prayer for bail by submitting that during investigation the witnesses have supported the allegation and against the petitioner there is specific allegation for making demand. Altogether five witnesses have already been examined and in near future the trial is likely to be concluded.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with S.T. No. 305 of 2015 arising out of Banka P.S. Case No. 321 of 2015 pending in the court of the Sessions Judge, Banka.

However, let the trial be expedited and concluded preferably within a period of four months from the date of receipt/production of a copy of this order after keeping the same on the priority basis.

(Jitendra Mohan Sharma, J)

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