

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12273 of 2016

Arising Out of PS.Case No. -22 Year- 2015 Thana -RATANPURA District- SUPAUL

=====

1. Bechu Sharma Son of Bahadur Sharma Resident of Village- Ratanpura, ward no. 7, Police Station Ratanpura District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-05-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with S.T. No. 01 of 2016 arising out of Ratanpura P.S. Case No. 22 of 2015, G.R. No. 526/15 registered for the offence punishable under Section 302 of the Indian Penal Code.

Allegedly, the petitioner killed his wife by pressing her neck in the presence of his daughter, the informant.

Submission is of false implication, the deceased had earlier filed a Complaint Case No. 436-C/2014 under Sections 376 and 354(B) of IPC against her co-villager on 12.09.2014 wherein, compromise petition was filed being persuaded by the petitioner which was not acceptable to the deceased and she committed

suicide but the elder daughter of the petitioner filed the instant false case being instigated by her maternal grand-father and grand-mother resulting the petitioner is suffering in custody since 21.07.2015.

The learned APP seriously opposes the prayer of bail by submitting that during investigation the witnesses have supported the prosecution version and further corresponding injuries have been found on the person of the deceased and cause of death was due to asphyxia caused by throttling.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with S.T. No. 01 of 2016 arising out of Ratanpura P.S. Case No. 22 of 2015, G.R. No. 526/15 pending in the court of learned Sessions Judge, Supaul.

However, considering the detention of the petitioner, let the trial be expedited and concluded preferably within nine months after receipt or production of a copy of this order.

(Jitendra Mohan Sharma, J)

sushma/-

U			
---	--	--	--