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# IN THE HIGH COURT OF JUDICATURE AT PATNA
**Criminal Miscellaneous No.13212 of 2016**

Arising Out of PS.Case No. -230 Year- 2014 Thana -GARDANIBAGH District- PATNA

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1. Ramdeyal Rai @ Ramdas Rai, son of Late Ramchandra Rai, Resident of Village- New Alkapuri, Police Station- Gardanibagh, District- Patna.

.... .... Petitioner

Versus

1. The State of Bihar .... .... Opposite Party

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**Appearance :**
For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Mr. M. Rab (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**

ORAL ORDER

3 10-05-2016 Heard learned counsel for the petitioner and learned APP for the Sate.

The petitioner seeks bail in connection with Gardanibagh P.S. Case No. 230 of 2014 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

Allegedly, Nilu Devi was married to Anil Rai the son of the petitioner 4-5 years ago and as the husband was residing outside to earn livelihood, the petitioner and other co-accused used to torture and assault her for demanding money and further co-accused Laxman Kumar tried to develop sexual relationship with her which was opposed and then the petitioner and others assaulted her and on 08.06.2014 in the night they sprinkled kerosene oil on her body and burnt her, however, she was admitted in B. N. Burn Hospital by her husband who was called by tenant and there fardbeyan of Nilu Devi was recorded. During treatment she died.

Submission is of false implication and that the petitioner is an old man aged about 82 years vide annexure-2, there is no specific allegation against him, the petitioner is in custody since 07.08.2015 after his surrender, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP opposes the prayer of bail by submitting that the deceased before her death has made allegation against the petitioner also for torturing and burning her.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, at present, I am not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, considering the period of detention, let the trial be expedited and concluded as early as possible, preferably within nine months from the date of receipt/production of a copy of this order.

Let the L.C.R. and other connected documents be returned to the court below.

**(Jitendra Mohan Sharma, J)**

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