

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51555 of 2015

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1. Umesh Ram S/o Paltu Ram resident of village - Noneya, Mahto Tola,
P.S. Paharpur, District - East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Abhay Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 30-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in Paharpur P.S. Case
No.240 of 2015 instituted for the offences under Sections
304(B)/34 of the Indian Penal Code.

The petitioner is the husband of the deceased. As per
FIR allegation has been made to have killed the wife by
sprinkling K. Oil.

Learned counsel for the petitioner submits that an
affidavit has been filed by the father of the victim that some
unknown villagers giving their name has filed criminal case.
Criminal case can be set in motion by any person and not by
near relatives. He further submits that Section 304(B) of the
Indian Penal Code is not made out and there is contradictory
statement made by the witnesses.

Admittedly lady has died in the house of the petitioner on account of burnt injury.

Looking to the nature of allegation, this Court is not inclined to enlarge the petitioner on bail. Accordingly the prayer for bail is rejected at this stage. However, the court below is directed to conclude the trial within a period of nine months from the date of receipt/production of a copy of this order subject to the co-operation of the petitioner. If the trial is not concluded within the aforesaid period, petitioner will be at liberty to renew his prayer for bail.

(Shivaji Pandey, J)

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