

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.153 of 2016

Arising Out of PS.Case No. -164 Year- 2015 Thana -MANJHI District- SARAN

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1. Satya Prakash Tiwari son of Nagendra Tiwari, Resident of village-Sadhpur Bali, P.S.- Kopa, District- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

For the Opposite Party/s : Mr. Narsing Tanti (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 09-02-2016

Heard learned counsel for the petitioner and the State.

Petitioner is languishing in custody since 07.08.2015 in a case registered for the offences punishable under Sections 341, 323, 307, 326, 498A, 504/34 of the Indian Penal Code. Subsequently, Section 302 of the Indian Penal Code was added.

The prosecution case is that the informant was married to petitioner in 2013. The in-laws of the informant used to torture her and made attempt to kill her. The petitioner took the informant to his in-laws house when the informant got pregnant. Subsequently petitioner went to in-laws house to bring informant to his house, when some scuffle took place when petitioner twice fired at informant causing injuries on hand and abdomen. Subsequently informant succumbed to the injuries.

It is submitted by the learned counsel for the

petitioner that it was the in-laws people who were assaulting the petitioner but accidentally the informant received injuries by firing resorted to by the in-laws family members of the petitioner. There is counter version of the occurrence also being Manjhi P.S. Case No. 166 of 2015. The petitioner has also received injuries and the prosecution has not explained the same.

It is submitted by the learned counsel for the informant that earlier also the petitioner made an attempt to poison the informant and the victim succumbed to the injury caused by this petitioner, though no case was lodged for the attempt to poison the informant.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioner in connection with Manghi P.S. Case No. 164 of 2015, pending in the court of learned Additional Chief Judicial Magistrate-V, Saran at Chapra.

Let the trial be expedited, if the trial is not concluded within a period of one year of the custody of the petitioner. The petitioner will be at liberty to renew the prayer for bail.

(Dinesh Kumar Singh, J)

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