

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41252 of 2015

Arising Out of PS.Case No. -81 Year- 2015 Thana -TEKARI District- GAYA

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1. Narayan Prasad @ Narayan Saw @ Narayan Prasad Gupta @ Narayan Prasawad Gupta son of Late Tetar Sao, resident of Village Rikabganj Khachiya Road, P.S. Tekari, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan
For the Opposite Party/s Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

04/ 05.01.2016 Supplementary affidavit is filed on behalf of the petitioner.

Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the deceased who died in other than normal circumstance within seven years of marriage. There is allegation of illegal demand as well as torturing against the petitioner.

Submission on behalf of the petitioner is that information regarding condition of the deceased was given to the informant and having got the aforesaid information, informant came and participated in the cremation of the deceased but later on, informant lodged this case with ulterior motive. It is further contended by him that the deceased was accidentally caught in fire and the petitioner tried to extinguish fire and in that course, petitioner, too, sustained fire arm

injury which is evident from perusal of para 17 of the case diary.

Regard being had to the facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Tekari P.S. Case no. 81/2015 pending in the court of Sri S.Q.H. Rizvi, Judicial Magistrate, Ist Class, Gaya/ concerned court stands rejected, at least, at this stage.

It is informed that the case of the petitioner has already been committed to the court of sessions. If it is so, trial court should expedite the trial of the petitioner and conclude the same as early as possible.

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(Hemant Kumar Srivastava,J)

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