

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11463 of 2016

Arising Out of PS.Case No. -112 Year- 2014 Thana -BIHARIGANJ District- MADHEPURA

1. Binod Mahto son of Suraj Mahto Resident of village - Biraili, P.S. -
Singheshwar, Dist - Madhepura, at present - Thahra Tola - Tirsai, P.S. -
Bihariganj, Dist - Madhepura..... Petitioner

Versus

1. The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad

For the Opposite Party/s : Mr. Gulnar Begum (App)

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

3 28-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Bihariganj
P.S. Case No. 112 of 2014 registered for the offences punishable
under Sections 302, 328, 201/34 of the Indian Penal Code.

Puja Devi, the daughter of the informant, was married to
the petitioner on 03.02.2013 and allegedly, the petitioner used to
torture and assault her and ultimately she was killed by the
petitioner and other in-laws and her dead body was also made
traceless.

Submission is of false implication and that there is no
allegation of demand of dowry, earlier no any kind of complaint
was made regarding any assault, the wife of the petitioner was a
short tempered lady and she used to quarrel always and she herself

consumed poison in anger. The petitioner is in custody since 25.11.2014 and in near future the trial is not likely to be concluded.

Learned APP opposes the prayer of bail by submitting that during investigation besides the informant and his family members independent witnesses vide paragraph 32 and 33 of the case diary have stated that the petitioner administered Salphas tablet to his wife and further made the dead body traceless.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, considering the period of detention, the trial court is directed to expedite the trial and conclude the same as early as possible, preferably within nine months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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