

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44615 of 2015

Arising Out of PS.Case No. -71 Year- 2012 Thana -NATIONAL HIGHWAY District-
SAMASTIPUR

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Mukesh Ram Son of Prabhu Ram, Resident of Village - Kubauli Ram, P.S.
- N.H. Bangra, District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate.

For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 22-01-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor.

Petitioner is the husband of the deceased and is languishing in jail custody since 30.05.2015 in a case registered under Sections 304B, 201, 34 of the Indian Penal Code. It is an undisputed fact that the deceased died within two years of her marriage. The informant levelled allegation against the petitioner and other in-laws of the deceased that they used to demand dowry and when the demand was not fulfilled, they not only put the deceased into cruelty but also committed her murder and disposed of her dead body without giving any information to him. In course of investigation, some witnesses stated that the petitioner had illicit relation with one Rina Devi and, in frustration, the deceased

committed suicide. The Naihar people of the deceased supported the factum of illegal demand as well as commission of murder. The police, after investigation, submitted chargesheet under Sections 304B, 120B, 201, 34 of the Indian Penal Code.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am of the view that it is not a stage to grant the privilege of bail to the petitioner and, accordingly, the prayer for bail of the petitioner in connection with N.H. Bangra P.S. Case No. 71 of 2012, pending in the court of the learned Chief Judicial Magistrate, Samastipur, stands rejected.

However, the learned Chief Judicial Magistrate, Samastipur / concerned court is directed to commit the case of the petitioner to the Court of Sessions within two weeks from the date of receipt / production of a copy of this order in accordance with law and, after commitment, the concerned Sessions Court shall expedite the trial of the petitioner and try to conclude the same as early as possible.

(Hemant Kumar Srivastava, J)

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