

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46416 of 2016

Arising Out of PS.Case No. -90 Year- 2011 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Rajesh Kumar Jaiswal @ Rajesh Jaiswal @ Battery Son of Ramji Prasad Jaiswal, Resident of Village: Prakash Nagar, Narkatiyaganj, Police Station-Shikarpur, District: West- Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 19-12-2016

Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner seeks bail in connection with Sessions Trial No. 33 of 2012 arising out of Shikarpur P.S. Case No. 90 of 2011 registered under Sections- 341, 323, 498A, 307/34 and 302 of the Indian Penal Code.

The allegation against the petitioner, who is husband of the informant, is that he used to take wine and assault the informant. On 9.3.2016 petitioner after taking wine assaulted her. The victim protested. Petitioner sprinkled kerosene oil on her body and the mother-in-law and father-in-law set fire in her body and she became injured and was brought to PH.C. Narkatiyaganj.



Learned counsel for the petitioner submits that deceased Sarita Devi was a woman of high temperament and used to scuffle with his mother and father. On the alleged date, petitioner scolded him and due to that annoyance she committed suicide by setting fire on her body.

It appears that vide order dated 25.10.2016, report was called for from the Court below with regard to present stage of the trial and the period in which trial is likely to be concluded. Report has been received in this Court, which is at Flag-A. From perusal thereof, it appears that five witnesses are still to be examined and the trial is likely to be concluded within three months.

Considering the nature of allegations levelled against the petitioner, I do not feel inclined to enlarge the petitioner on bail. His prayer for grant of bail is, therefore, rejected.

However, considering the fact that the trial of the case is likely to be concluded within three months, petitioner will be at liberty to renew his prayer for bail after three months in case trial is not concluded within the aforesaid time.

(Arvind Srivastava, J)

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