

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23533 of 2016

Arising Out of PS.Case No. -568 Year- 2015 Thana -JAHANABAD District- JEHANABAD

1. Sonu Kumar son of Dinesh Ram resident of Shanti Nagar, Jehanabad, Police Station + District- Jehanabad, Permanent resident of Village- Pandui Police Station- Paras Bigha, District- Jehanabad and present resident of Shanti Nagar, Jehanabad police station and District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rishikesh Chanchal

For the Opposite Party/s : Mr. Meena Singh(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 12-07-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Sections-304(B) & 201 of the Indian Penal Code.

Petitioner happens to be husband of the deceased and there is accusation that he as well as his other family members demanded dowry and when the demand was not fulfilled, the deceased was killed by the petitioner and his other family members.

Admittedly, the marriage of the deceased had taken place with the petitioner on 01-05-2014 and she died on 11-12-2015.



Submission on behalf of petitioner is that the deceased was caught by cold and as a matter of fact, when her condition started deteriorating, she was taken to local doctor from where, she was sent to Patna but she died on her way and, thereafter, information regarding the death of the deceased was given to the informant and having got the aforesaid information, the informant came and in his presence, the dead body of the deceased was cremated but with ulterior motive, the informant lodged the present case after six days of the death of the deceased.

Regard being had to the facts and circumstances of the case as well as submission of the parties, I am not inclined to release the petitioner on bail, at least at this stage and accordingly, his prayer for bail in connection with Jehanabad P.S. Case No. 568 of 2015 pending in the court of learned Chief Judicial Magistrate, Jehanabad stands rejected.

Since the learned counsel for the informant is present, this court directs the trial court to conclude the trial of the petitioner within six months from the date of receipt/production of copy of this order and the informant should produce his witnesses before the trial court whenever it is required by the trial court.

It is made clear that if trial of the petitioner is not concluded within the above-said period of six months, the

petitioner may renew his prayer for bail before the learned trial court itself. It is also made clear that if any delay is caused by the petitioner as well as other accused in disposal of the case, the liberty granted to the petitioner by this order shall not be available to him.

(Hemant Kumar Srivastava, J)

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