

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28621 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -AAYAR District- BHOJPUR

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Lal Babu Rawani Son of Ramadhar Rawani, Resident of village- Parariya,
P.S. - Charpokhari, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-08-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Ayar P.S. case No.61 of 2015 instituted for the offence under Sections 302 and 201/34 of the Indian Penal Code, pending in the court of C.J.M., Bhojpur, Ara.

The prosecution case, in brief, is that the informant's daughter was married to the petitioner eight years ago and after marriage the petitioner along with his family members tortured her. On 26.9.2015 one person informed the informant that her daughter is traceless since eight days back. Then he had gone to the house of petitioner and his mother told that his daughter left the house some days back. In the meantime it came in knowledge on rumour that a dead body kept in a Gani bag is flowing in

Canal, then the informant went there and found dead body of his daughter. The informant claims that the accused persons including the petitioner have murdered his daughter.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.10.2015 and the charge sheet has been submitted in the present case. The alleged occurrence is said to have taken after eight years of marriage. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner.

On behalf of the State, it is submitted that the petitioner is the husband of the deceased and the onus is upon him to explain the death of the deceased under Section 106 of the Evidence Act.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The Court below is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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