

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16860 of 2017

Arising Out of PS.Case No. -109 Year- 2016 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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Chhotu Bind Son of Raj Kumar Bind, Resident of village - Sirbit, P.S.
Chainpur, District - Kaimur at Bhabua

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

8 25-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
10.06.2016 in connection with Sessions Trial No. 413 of 2016
arising out of Chainpur P.S. Case No. 109 of 2016 pending in the
Court of learned Additional District Judge-V, Kaimur at Bhabua
registered for the offence punishable under Sections 304(B) and
201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter, Badami Devi was married to the petitioner 3
years back and due to non-fulfilment of demand of dowry and
motorcycle, she has been burnt and her dead body cremated.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated. He submits that no torture was made by him, no offence has been committed and the deceased died a natural death as she was sick.

However, learned counsel for the informant submits that the deceased has been killed by the petitioner and his family member and the body cremated. Since there is no postmortem report, therefore, it is a case of concealment of evidence, hence, opposes the prayer for bail. Learned A.P.P. for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage. This application is, accordingly, rejected.

Learned Court below is directed to expedite and conclude the trial within a period of one year.

(Nilu Agrawal, J.)

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