

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12571 of 2017

Arising Out of PS.Case No. -28 Year- 2016 Thana -SALAIYA District- AURANGABAD

1. Mahendra Ram S/o Late Arjun Ram R/o Village-Chein (Math), P.S.-
Salaiya, District-Aurangabad (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.6008 of 2017

Arising Out of PS.Case No. -28 Year- 2016 Thana -SALAIYA District- AURANGABAD

1. Satyendra Ram Son of Arjun Ram Resident of Village-Chel, P.S.
Salaiya, District-Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.12571 of 2017)

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

(In Cr.Misc. No.6008 of 2017)

For the Petitioner/s : Mrs. Leelawati Kumari

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 20-04-2017 Heard both sides.

The petitioners, Mahendra Ram and Satyendra Ram,
seek bail in Salaiya P.S. case No. 28 of 2016 under Section 302,
201/34 of the Indian Penal Code.

The informant, maternal uncle of the deceased,



alleged that his niece was married to Mithilesh Ram seven years ago but on 11.10.2016 her father-in-law, cousin father-in-law and others strangled her to death and burnt her dead body.

The learned counsel for the petitioners submits that informant is not an eye witness of the occurrence. The petitioners never demanded any dowry nor tortured the deceased. No complaint was ever made for demand of dowry and torture by the deceased or her family members during last seven years. The deceased had illicit relation with one Abahy Kumar Singh @ Mukhiya Jee and she was found in compromising position. It is submitted that on account of this the deceased herself ignited fire on her body and got extensive burn injuries and the petitioners have falsely been implicated in the case. It is further submitted that in paragraphs 10 and 11 of the case diary the witnesses have also stated the same facts. No external injury was found on the person of the deceased and viscera was preserved for F.S.L. examination but from perusal of paragraph 15 of the case diary, it appears that minor son of the deceased disclosed that Mahendra Ram and Satyendra Ram, the petitioners, assaulted his mother.

Considering the fact that none else than minor son of the deceased stated that petitioners assaulted his mother before her death, I am not inclined to enlarge the petitioners on bail at this



stage. Accordingly, the same is rejected.

The learned trial court is directed to expedite the trial and conclude the same within one year from the date of receipt of this order.

If the trial is not concluded within one year, the petitioners may renew their prayer for bail after completion of one year.

(Prabhat Kumar Jha, J)

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