

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25305 of 2017

Arising Out of PS.Case No. -176 Year- 2004 Thana -PAROO District- MUZAFFARPUR

=====

Rajesh Rai @ Tuntun Rai, Son of Ram Sagar Rai, Resident of Village-
Chainpur Chiutaha, P.S. Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Dinesh Singh

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

3 05-06-2017 Heard Shri Natraj Verma, learned advocate appearing on

behalf of the petitioner and Shri Dinesh Singh, learned APP for

the State.

The petitioner is seeking regular bail in Paroo P.S. Case
No. 176 of 2004 for the offences alleged under sections 304B/34
IPC.

The prosecution case as alleged in the FIR would show
that the petitioner being husband took his wife from her *Maika* on
29.5.2004 to his matrimonial home, however, at the time of taking
his wife to the matrimonial home he repeated his demand for
Rajdoot motorcycle. He allegedly threatened the informant that he
would lose his daughter in case of non-fulfillment of demand.

The allegation is that the marriage took place on
26.6.2002 and after the petitioner took his wife to the matrimonial
home, the brother of the victim went to her sasural but she was not
found there. It is alleged that the daughter of the informant was



killed and her dead body was cremated.

Learned counsel for the petitioner submits that he has been falsely implicated along with other family members and there is no cogent material to involve him in the present case.

On the other hand, learned APP opposed the prayer for bail and submitted that the petitioner is the husband and his conduct in not surrendering or seeking anticipatory or regular bail for about 13 years would disentitle him for the privilege of bail.

From perusal of the impugned order, it would appear that in this case charge sheet has been submitted against co-accused Ram Sagar Rai under section 304B and 201/34 of the Indian Penal Code and the investigation against the petitioner remained pending because of his absconding all through these years.

Considering the fact that the petitioner being husband of the deceased did not surrender before the court below for a period of 13 years approximately and that there are specific allegations against him, I am not inclined to grant regular bail to the petitioner at this stage rather the trial court is directed to expedite the trial and conclude the same preferably within a period of nine months.

(Rajeev Ranjan Prasad, J)

S.Sb/-

U		T	
---	--	---	--

