

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.406 of 2017

Arising Out of Saraiya PS.Case No. -328 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR
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1. Bipin Sahani, S/o Pukar Sahani, R/o Village - Ratanpur Dihi, P.S. - Saraiya, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Shiv Nath Sahani, S/o Late Dahaur Sahani, R/o Village - Bishunpur Basant, P.S. - Saraiya, District - Muzaffarpur.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj

For the Opposite Party/s : Sri Nirmal Kumar Sinha
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-01-2017

The application is for grant of regular bail in connection with Saraiya P.S. Case No. 328 of 2015 registered for offences under Sections 304B and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the petitioner is husband of the deceased but the allegations are general and omnibus in nature and the deceased died due to serious disease and he has been implicated in this case and later on when the informant came to know about the actual fact, he has filed a petition before the learned S.D.J.M., West Muzaffarpur to the effect that due to wrong information, the present case has been filed. The petitioner remained in custody for about seven months.

Heard learned A.P.P. also. Learned A.P.P. has



opposed the prayer for bail of the petitioner stating that the case is under Section 304 B of the Indian Penal Code.

Having heard both sides. In view of the fact that this is a case under Section 304B of the Indian Penal Code and the allegations are against the petitioner husband, I am not inclined to grant bail to the petitioner.

However, the court below is directed to expedite the trial by conducting the same on day to day basis and conclude within a period of six months from the date of receipt/production of a copy of this order by the court below.

With this observation, this application is dismissed with liberty to the petitioner to renew his prayer for bail if the trial is not concluded within the six months.

(Vinod Kumar Sinha, J)

A.I./-

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