

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38571 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -JALE District- DARBHANGA

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1. Devendra Mishra Son of Shiv Shankar Mishra resident of Village -
Radhi, Police Station Jalley and District Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 17-01-2017 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor.

The application is for grant of bail in connection
with Jalley PS case no. 104 of 2015 for the offence under Sections
328, 302/34 of the Indian Penal Code.

It is submitted on behalf of petitioner that
petitioner is the husband and though there is direct allegation
against petitioner but the prosecution story appears to be
improbable as the occurrence is after 18 years of marriage and the
deceased died due to prolonged illness. It is further submitted that
false case has been instituted against the petitioner. It is further
submitted that petitioner is in custody for last seven months and
till now, case is not committed to the court of Sessions.



Heard learned A.P.P. also. Learned A.P.P. has opposed the prayer for bail.

Having heard both sides. Considering the seriousness of allegation, I am not inclined to grant bail to the petitioner. As such, his prayer for bail rejected at this stage. However, considering the fact that petitioner is in custody for last 07 months, learned lower court is directed to expedite the commitment as well as trial and conclude the same within one month from today

With these observations, this bail application is dismissed.

(Vinod Kumar Sinha, J.)

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