

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.387 of 2017

Arising Out of PS.Case No. -410 Year- 2016 Thana -PHULWARI District- PATNA

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1. Amit Kr. @ Rakesh Kr. Son of Lt Kameshwar Prasad, Resident of
Village-Nagwan Derapar, P.S. Janipur, District Patna

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sada Nand Roy, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 16-05-2017 Present appeal has been preferred by the appellant under

Section 14A of the Scheduled Castes/Scheduled Tribes (Prevention
of Atrocities) Act, 1989, for grant of regular bail in connection
with Phulwari Sharif (Janipur) P.S. Case No. 410/2015, for the
offences punishable under Sections 494, 498(A), 341, 323 and 306
Indian Penal Code and Section 3(i)(x) of SC/ST Act.

Allegation against the appellant is that he married the
daughter of the informant with the consent of both the families,
but he was not ready to keep the daughter of the informant with
his family members and was living separately and when the
daughter of the informant went to visit the house of the appellant,
she was not allowed to enter into the house, due to which the
daughter of the informant consumed poison and died.

It has been submitted on behalf of the appellant that even



from perusal of F.I.R. no case under the above mentioned sections of Indian Penal Code as well as SC/ST Act is made out against the appellant. Appellant had himself married with the daughter of the informant and he cannot be held responsible for the suicide committed by the deceased. Further, appellant has been in judicial custody since 23.07.2016.

Learned Special Public Prosecutor opposed the prayer for bail and submitted that there are materials against the appellant in case diary.

Having heard both sides, in view of the fact and circumstances of the case, I am not inclined to release the petitioner on bail, accordingly, this appeal is dismissed.

However, considering the fact that appellant is in custody for last ten months, special court is directed to expedite the trial and try to conclude it within a period of nine months and if the trial is not concluded within the aforesaid period, the appellant will be at liberty to renew his prayer for bail in the trial court itself.

(Vinod Kumar Sinha, J)

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