

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30392 of 2017

Arising Out of PS.Case No. -556 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Raj Kumar @ Raj Kumar Rai @ Tofa S/o Shri Lakhendra Rai R/o-
Village-Mirzanagar Dogar P.S.-Mahua, District-vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-08-2017 The petitioner seeks regular bail in connection with Mahua P.S. Case No. 556 of 2015, registered for offences punishable under Sections 304(B) of the Indian Penal Code.

Petitioner is husband of the deceased and allegation against him is of killing the deceased by administering her poison.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and has nothing to do with the death of the deceased and further in the post mortem report no internal or external injury was found and in the viscera report it was established that the death of the deceased was caused due to consumption of poison. It has also been submitted that admittedly the marriage of the petitioner was solemnized with the deceased 12 years ago, therefore, there is no applicability of Section 304B



Indian Penal Code in the present case and he has been in judicial custody since 16.01.2017.

Learned counsel for the State opposed the prayer for bail and submitted that it has during the course of investigation, that the petitioner was having illicit relationship with his sister-in-law (Bhabhi) and when deceased caught them in objectionable condition, petitioner killed the deceased by administering poison to her.

Having heard both sides, considering the facts and circumstances of the case and the nature of allegation, at present, I am not inclined to release the petitioner on bail, her application for regular bail is, accordingly, rejected.

However, the trial court is directed to expedite the trial and try to conclude it within a period of one year.

(Vinod Kumar Sinha, J)

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