

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53901 of 2016

Arising Out of PS.Case No. -132 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Mantosh Rai son of Ishari Rai Resident of village Manua, P.S. Hajipur Sadar, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-01-2017 The petitioner is in custody since 20.09.2016 in connection with Hajipur Sadar P.S. Case No. 132 of 2016, registered for offences punishable under Sections 304(B), 201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that as a matter of fact on 28.03.2016, the deceased complained of abdominal pain, for which the petitioner took her to Sadar Hospital, Hajipur, where she was referred to P.M.C.H., Patna but she died in the way. It has further been submitted that from perusal of record, it appears that there is delay in lodging F.I.R, which goes to show that the whole prosecution story is an afterthought. However, the informant has also filed a petition on 20.04.2016 in the Court of Chief Judicial Magistrate stating therein that the deceased died due to illness.



Learned A.P.P. for the State objected the prayer of bail and submitted that there are materials against the petitioner that he used to put pressure on the deceased for demand of dowry and upon non fulfillment of the said demand, he used to torture the deceased and ultimately she was strangled to death. It has further been submitted that several paras of case diary also supports the case of the prosecution.

Having heard both sides, considering the facts and circumstances of the case and the nature of offence, I am not inclined to grant the petitioner the privilege of regular bail, it is accordingly, rejected.

However, in view of the facts and circumstances, learned Court below is directed to expedite the trial and try to conclude it within a period of six months from today and if the trial is not concluded within the aforesaid period, the petition shall be at liberty to renew his prayer for bail, which will be considered by learned court below on its own merit, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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