

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14153 of 2017

Arising Out of PS.Case No. -255 Year- 2016 Thana -FORBESGANJ District- ARRARIA

=====

Sumit Thakur, son of Mahesh Thakur, resident of Village Ramai Police Station Forbesganj, District Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. A.K. Mishra with Ms. Sandhya
Sharma, Advocates

For the Informant : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 10-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Forbesganj P.S.Case No. 255 of 2016 registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

Petitioner is the husband and the case is of dowry death.

It has been submitted on behalf of the petitioner that there is delay in lodging FIR and petitioner has falsely been implicated in this case as Superintendent of Police in supervision note has doubted about the prosecution case. It has further been submitted that, as a matter of fact, deceased caught fire while she



was preparing meal and thereafter she was taken to hospital where she died and then she was cremated and informant was present all along but the present false has been lodged as the informant was demanding some land for maintenance of his grandson and demand was fulfilled by execution of a sale-deed in favour of grandson of the informant under the guardianship of his mother but when the informant failed to include his name as guardian in the sale-deed executed on 29.4.2016 he became annoyed and filed this case after a delay of 25 days.

Heard learned APP and learned counsel for the informant. Learned counsel for the informant has opposed the prayer for bail of the petitioner by pointing out paragraph-5 of complaint petition, on the basis of which FIR has been lodged, in which it is stated that deceased was cut into pieces and petitioner was trying to get cremation done in hurried manner.

Having heard both sides and considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner.

However, as the petitioner is in custody since long, learned trial court is directed to expedite the trial and try to conclude it within a period of seven months. If trial is not concluded within the said period, petitioner may renew his prayer



for bail before the court below, who will consider the same on the basis of materials available on record at that time and pass an appropriate order.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

