

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55135 of 2016

Arising Out of PS.Case No. -8 Year- 2015 Thana -POWAKHALI District- KISANGANJ

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Salim @ Md. Salim S/o Badri Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Hussain

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 20-03-2017

Heard both sides.

The petitioner seeks bail in Powakhali P.S. case No. 08 of 2015 under Section 304B/34 of the Indian Penal Code.

The informant, father of the deceased, Menaz Begum, alleged that his son-in-law, the petitioner, informed him on telephone that his daughter had consumed poison. The informant, having received such information, went to the house of his son-in-law and found his daughter unconscious. There were injuries on neck and left side of her ear and but daughter died.

The learned counsel for the petitioner submits that, of course, the petitioner is husband but marriage was solemnized four years ago. There is no demand of dowry. The informant has also not alleged that any demand was ever made. The petitioner also accompanied his wife to hospital but from post mortem report, it



appears that wife of petitioner died due to asphyxia on account of strangulation and the injuries caused by hard and blunt object on her neck and below ear. It was the petitioner who firstly disclosed that his wife consumed poison.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The learned trial court is directed to expedite the trial, hold the trial on day to day basis and conclude the same within one year from the date of receipt of this order.

The Superintendent of Police, Kishanganj is directed to ensure the attendance of prosecution witnesses of Powakhali P.S. case No. 8 of 2015, corresponding to Sessions Trial No. 218 of 2016, in the court of learned Sessions Judge, Kishanganj so that the trial must be concluded within one year.

Let a copy of this order be sent to the learned Sessions Judge, Kishanganj as well as Superintendent of Police, Kishanganj for information and needful.

(Prabhat Kumar Jha, J)

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