

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41130 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -TEDHAGACHH District- KISHANGANJ

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1. Shyam Lal Harijan S/o Abir Lal Harijan Resident of Village- Belbari
Harijan Tola, P.S.- Teragacch, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 20.05.2017 in connection with Sessions Trial No. 138 of 2017 arising out of Teragachh P.S. Case No. 36 of 2017, for offences punishable under Sections 302 of the Indian Penal Code.

The prosecution case, as lodged by the informant is that his daughter Mono Devi was married to the petitioner 15 years back and they had a eight year old son. The relationship between the petitioner and the deceased was good but for last 2-3 years the petitioner started assaulting his wife (deceased) and also threatened to solemnize second marriage, which was always pacified by the informant. The informant received information that



his daughter has been killed and found dead due to hanging.

It has been submitted by the learned counsel for the petitioner that he is innocent, a government teacher and has been falsely implicated in this case. He submits that the trial is yet to begin and he is ready to cooperate during trial on day to day basis. He further submits that the deceased was a hot tempered lady and has committed suicide. He further submits that there is no external injury found on the body of the deceased.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage.

However, learned court below is directed to expedite the trial. Petitioner is permitted to renew his prayer for bail after nine months if Trial is not concluded by that time.

(Nilu Agrawal, J)

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