

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22392 of 2018

Arising Out of PS. Case No.-234 Year-2015 Thana- CHAINPUR District- Bhabhua (Kaimur)

Ramadhin Yadav, S/o Late Khedan Yadav, R/o Village- Birna, P.S.-
Chainpur, Dist.- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Adv.

For the Opposite Party/s : Sri Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 26-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, being the father of the husband of the victim, has renewed his prayer for in connection with a case registered for the offences punishable under Sections 341, 323, 307, 498A, 285, 504 and 304B of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, in connection with Sessions Trial No.301/2016/102/2016, arising out of Chainpur P.S. Case No.234 of 2015, pending before the learned ADJ-IV, Kaimur (Bhabua).

The prosecution case got initiated on the Fardbeyan of Mamta Devi, recorded by S.I., Vijay Kumar Singh of Chainpur Police Station on 10.12.2015 at 19.30 Hrs. at Emergency Hall of Sadar Hospital, Bhabhua to the effect that all the accused



persons, including the petitioner, came and started abusing the victim. It is specifically alleged that all the accused persons caught hold of the victim when the husband of the victim poured kerosene oil, upon her, while this petitioner, being the father of the husband of the victim set her on fire, as a result, she received burn injuries and subsequently succumbed to the injuries.

Considering the gravity of the accusation, this Court twice rejected the prayer for bail of the petitioner. Firstly, on 20.06.2016, vide Criminal Miscellaneous No.22721 of 2016 and subsequently, on 06.12.2017, vide Criminal Miscellaneous No. 4928 of 2017.

A report has been transmitted by the learned Additional District and Sessions Judge-IV, Kaimur at Bhabua through Letter No. 85, dated 05.09.2018, which reflects that the doctor and the I.O. have not been examined till date, which reflects the callous manner in which the offices of the District Magistrate and the Superintendent of Police, Kaimur at Bhabua, have been functioning.

In view of the fact that the trial Court has transmitted a time frame for disposal of the trial within one month, this Court is not inclined to interfere.



Accordingly, the prayer for bail of the petitioner is rejected.

It is made clear that if on the next date fixed, the Doctor and the I.O. will not be produced for trial, then this Court will be constrained to pass appropriate orders, concerning the District Magistrate and the Superintendent of Police, Kaimur at Bhabua will be held responsible.

Let a copy of this order be transmitted to the District Magistrate and the Superintendent of Police, Kaimur at Bhabua through FAX/E-mail.

(Dinesh Kumar Singh, J)

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