

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42779 of 2018

Arising Out of PS. Case No.-19 Year-2017 Thana- HARLAKHI District- Madhubani

Chandra Bhushan Singh, Son of Shri Raghwendra Singh @ Shri Raghbendra Singh, Resident of Village- Kundal Madhiya, P.S.- Harlakhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 01-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner has earlier moved this Court for grant of bail in Cr. Misc. No. 53753 of 2017, which was rejected vide order dated 15.03.2018.

Petitioner is languishing in judicial custody since 09.04.2017 in connection with Sessions Trial No. 78 of 2018, arising out of Harlakhi P.S. Case No. 19 of 2017/ G.R. No. 107 of 2017 for offences punishable under Sections 304-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his daughter Laxmi Devi was married to the petitioner in the year 2012 and has been killed by the petitioner, who is the husband, and in-laws for non-fulfillment of demand of Rs. 2 lakhs as dowry.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, his wife committed suicide and he has been falsely implicated in the aforesaid case. He submits that there was no demand of dowry and none of the witnesses have been examined uptill now, although, trial has begun. Petitioner undertakes to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail stating therein that in the forensic report CELPHOS i.e. a poisonous substance, has been found in the body after examination of viscera.

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.

The application is, accordingly, rejected. However, the trial court is directed to expedite the trial and conclude the same within a period of six months. Petitioner is at liberty to renew his prayer after six months if the trial is not concluded by that time.

Rajesh/-

(Nilu Agrawal, J)

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