

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52890 of 2018

Arising Out of PS. Case No.-53 Year-2018 Thana- KINJAR District- Jehanabad

Gopal Thakur S/o Late Laldhari Thakur, resident of Village- Angarichak, P.S. Kinjar, District Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar-1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 08-10-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Kinjar P.S. Case No. 53 of 2018 registered under Sections 341/323/504/304(B)/34 of the Indian Penal Code.

Petitioner is the husband of the deceased and he is said to have eliminated the deceased over dowry demand.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. As a matter of fact, the deceased committed suicide by hanging herself from the tree and on committing the same, petitioner took down the dead body of the deceased from the tree and dumped in the maize field. It is further submitted that it is the second marriage of the petitioner and he is having one son and two daughters from the deceased so why the petitioner would commit such



occurrence. He has been languishing in custody since 29.05.2018.

On the other hand, learned APP for the State vehemently opposing the bail petition submitted that the petitioner happens to be the husband of the deceased. There is direction allegation of demanding dowry, eliminating the deceased by hanging her from the tree and on hulla made by the villagers, taking down the dead body from the tree, dumping in the maize field and making good his escape. Doctor has also found ligature mark on the neck of the deceased and opined the cause of death as asphyxia.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within nine months from the date of commitment of the case and SP concerned is directed to ensure the production of the witnesses on each and every date fixed by the trial court without fail.

(Prakash Chandra Jaiswal, J)

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