

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54811 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -BHAPATIYAHIDistrict- SUPAUL

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Pradip Kumar Sah @ Pradip Sah, S/o Hari Narain Sah, R/o Village-
Bishanpur, P.S.- Bhaptiyahi, District- Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 304(B), 201 and
120(B) of the Indian Penal Code.

The petitioner is husband of the victim of
dowry death.

The occurrence allegedly took place on
29.04.2017. However, the FIR was lodged on 05.05.2017.
The reason for delay is stated in the FIR that the informant
wanted to verify the truth and there was chance of
Panchayati.

Submission of the learned counsel for the
petitioner is that in fact after death of the victim, her parents



had participated in the funeral and after completion of cremation just to pressurize for fulfilling their undue demand, the FIR has been lodged. Cognizable offences are not subject matter of Panchayat nor there was any reason to verify the truth as alleged in the FIR.

Learned counsel for the informant opposed the prayer for bail.

Considering the fact that the victim died alongwith her minor son and allegation is that both were poisoned to death, it was responsibility of the petitioner to get the postmortem done before disposal of the dead body. Hence, I am not inclined to enlarge the petitioner on bail in connection with Bhaptiyahi Police Station Case No. 39 of 2017/G.R. No.960 of 2017 pending in the court of learned Chief Judicial Magistrate, Supaul/successor court.

However, the learned trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt of a copy of this order.

(Birendra Kumar, J)

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