

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50544 of 2018

Arising Out of PS.Case No. -40 Year- 2016 Thana -SIDHWALIA District- GOPALGANJ

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1. Aditya Kumar Giri @ Guddu Giri, Son of Awadhesh Giri, resident of Village Larawali, Mathiya, P.S.- Sidhwalia, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashish Giri

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-11-2018

Heard the parties.

This application is for grant of regular bail in connection with Sidhwalia P.S.case No.40 of 2016 for the offences under Sections 304(B) of the Indian Penal Code.

Allegation against the petitioner is setting his wife on fire causing her death. The petitioner happens to be the husband. It further appears that earlier he was granted bail by the learned lower court and against which the informant moved before this Court for cancellation of bail and the bail of the petitioner was cancelled by order dated 28.3.2018 passed in Cr. Misc. No.27214 of 2017.

Submission of the learned counsel for the petitioner is that statement of the deceased girl has been recorded in para 16



of the case diary , in which she has not supported the prosecution case and stated that while she was preparing food she caught fire and received injuries. Further submission is that the petitioner is in custody since 23.5.2018 and remains in custody for sufficient period and there is delay in lodging the FIR.

Heard learned A.P.P. also and the learned counsel for the informant. They have opposed the prayer for bail stating that the statement of the girl has been recorded by the *Sipahi* and there is no certification by the Doctor.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage, however, the learned trial court is directed to expedite the trial.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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