

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24688 of 2019

Arising Out of PS. Case No.-44 Year-2018 Thana- MANER District- Patna

SANTOSH KUMAR, s/o Shri ram Ayodhya Singh, r/m-Maner Tola, P.O.
+P.S.-Maner, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-05-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Maner P.S. Case No.
44/2018, instituted for offence under Section(s) 498A, 304(B)
and 34 of the Indian Penal Code.

Earlier prayer for bail of petitioner was rejected by
order dated 22.11.2018 passed in Cr. Misc. No. 62286/2018.

Petitioner is husband of deceased.

It is alleged in the written report that daughter of
informant was married with this petitioner on 26.04.2016. She
was tortured in her *Sasural* for demand of dowry. The informant
received information on 07.02.2018 that his daughter has been
killed in her *Sasural*. The informant went to her *Sasural* and
found her dead body on the roof. She had sustained several burn
injuries. The informant raised suspicion against this petitioner



and other family members.

From the post-mortem report it appears that doctor has found 100% burn injury on the body of deceased.

Report from the Court below regarding present stage of case has been received, wherein it is mentioned that case is pending for hearing on petition filed under Section 227 of the Cr.P.C. by the petitioner.

In such circumstances, this Court finds that a petition under Section 227 Cr.P.C. has been filed by the petitioner. Therefore there is no laches on part of trial court.

There is specific allegation against this petitioner in the written report. The deceased died due to 100% burn injury.

Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly prayer for bail of petitioner is again rejected.

The trial court is directed to frame charge in this case within a period of one month from the date of receipt/production of copy of this order.

The trial court is further directed to proceed in trial after framing of charge in accordance with law and make efforts to conclude the same as early as possible preferably within a period of one year from the date of receipt of this order.



The petitioner will be at liberty to renew the prayer
for bail in the event trial is not concluded within aforesaid
period.

(Sanjay Priya, J)

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