

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38005 of 2019

Arising Out of PS. Case No.-291 Year-2018 Thana- BHARGAMA District- Araria

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UMESH PASWAN Son of Asarfi Paswan Resident of Village- Tharua Patti,
Khajuri, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 16-08-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Bhargama P.S. case no.
291 of 2018 instituted for the offence under Section(s)
302/201/ 34 of the Indian Penal Code.

Petitioner is husband of the deceased.

It is alleged in the written report that sister of
informant namely Asha Devi was married with this petitioner.
The sister of informant was blessed with three sons and one
daughter. It is further alleged that after sometime petitioner
performed second marriage with younger sister of the deceased,
namely, Puja Devi. Puja Devi was also blessed with two
children. It is further alleged that on account of torture
committed by this petitioner sister of informant, namely, Asha



Devi came to her *Maika*. It is further alleged that on 6.11.2018 this petitioner took the sister of informant, namely, Asha Devi with him to her *sasural*. On the same day, in night petitioner on mobile asked the wife of informant to prepare meal as they have not returned to village home. It is further alleged that on the next morning younger sister of informant told him on phone that they have not returned. Thereafter, in course of search his sister told to informant that motorcycle was found near the house but the petitioner and sister of informant were not there. It is further alleged that in the morning the dead body of sister of informant Asha Devi was found thrown at *Bhargama Davita Badi*.

Case diary has been received. The statement of younger sister of deceased, namely, Puja Kumari, and two daughter of deceased, namely Kazal Kumari and Mausham kumari are recorded in paragraph nos. 17, 18 and 19 of the case diary, wherein, they have alleged that petitioner has taken Asha Devi from her *Naihar* and thereafter she did not return to house with him. Later on, his motorcycle was found near the house and he was not found in the house. The dead body of the deceased was found , thrown at *Bhargama Davita Badi*.

As such, there is serious allegation against the



petitioner.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.

Learned counsel for petitioner submits that petitioner is in custody since 6.2.2019.

Trial Court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of nine months from the date of receipt of copy of this order and send compliance report.

Petitioner may renew his prayer for bail in the event trial is not concluded within the aforesaid period.

(Sanjay Priya, J)

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