

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2556 of 2019

Arising Out of PS. Case No.-60 Year-2019 Thana- RAJAON District- Banka

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Makeshwar Mandal Son of Prasadi Mandal, Resident of Takani Sanjha, P.S.-
Rajoun, District - Banka.

... .. Appellant

Versus

The State of Bihar.

... .. Respondent

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Appearance :

For the Appellant/s	:	Mr.Sandeep Kumar, Advocate Mr.Praveen Kumar, Advocate
For the Respondent/s	:	Mr.Sadanand Paswan, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

9 28-11-2019 Heard learned counsel for the appellant and learned
Spl.P.P. for the State.

Appellant, in the present appeal, is challenging the order dated 07.05.2019 passed in G.R. No. 17 of 2019 arising out of Rajoun P.S. Case No. 60 of 2019 registered under Sections 365, 323, 354, 379, 34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Later on Sections 302 and 201 of the Indian Penal Code have also been added.

By the impugned order the prayer for regular bail of the appellant has been rejected by the learned Additional Sessions Judge I, Banka.



Learned counsel for the appellant submits that when the dead body of the victim lady was recovered within the jurisdiction of Basantrai Police Station in the State of Jharkhand, one FIR has been lodged and investigation in the said case is going on. It is his submission that the complicity of the husband of this deceased has been found in the said case.

Learned Spl.P.P. for the State has, however, drawn the attention of this Court towards allegations made in the first information report wherein the mother-in-law of the victim lady has narrated the whole story as to how this appellant along with others had entered in the house of the informant, assaulted the family members and forcibly took away her daughter-in-law Puja Kumari.

Learned Spl.P.P. submits that it is a case of honor killing because the daughter of the appellant had solemnized marriage inter-caste which the appellant did not like. He took away the victim lady and later on next day her dead body was found.

Considering the facts and circumstances of the case, wherein there are specific allegations against this appellant that he had forcibly taken away the victim lady who was his own daughter and on the next day her dead body was found which



had been brutally assaulted and the case which was registered by Basantrai Police Station is still investigation, this Court is not inclined to grant regular bail to the appellant at this stage.

The prayer for regular bail is, thus, refused. Let the trial be expedited.

In case, any fresh material comes in the case registered with Basantrai Police Station, the appellant will have the liberty to renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

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