

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53049 of 2019

Arising Out of PS. Case No.-208 Year-2018 Thana- SAHIYARA District- Sitamarhi

VIKASH RAI Son of Nagendra Rai Resident of Village- Narha Jagdar, Serva
Tola, P.S.- Sahiyara, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha
For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 04-12-2019 Heard learned Counsel for the petitioner and the learned
APP for the State.

Petitioner is in custody in Sahiyara PS Case No. 208 of
2018 registered under Sections 304(B) and 201/34 of the IPC.

It is submitted by petitioner's Counsel that the petitioner
being husband of the deceased is in custody since 14.12.2018
merely on the basis of general and omnibus allegation. FIR has
been lodged belatedly on 26.11.2018 whereas the occurrence is
alleged to have taken place on 23.11.2018. It is further
submitted that the informant was very much present when the
informant's daughter succumbed to the illness during course of
treatment

Learned APP has drawn attention of the court to the
relevant paragraphs in the case diary.

Witnesses have supported the allegations made in the
FIR in their statement given during course of investigation. The
petitioner being husband owes prime responsibility towards
safety and welfare of his wife. FIR clearly discloses the reasons



for belated lodging inasmuch as the informant has come to know about the death only on 25.11.2018 whereafter the FIR has been lodged.

Considering the gravity of the allegations this Court is not inclined to allow the prayer for the bail. The same is rejected for the present.

(Madhuresh Prasad, J)

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