

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68010 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- AKBARPUR District- Nawada

SANTOSH YADAV Son of Ishwari Yadav @ Ishwari Prasad Resident of
Village - Bandhan Chhapra, P.S.- Rajauli, Distt - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Birendra Kumar
For the Opposite Party/s	:	Ms.Rina Sinha
For the Informant	:	Mr. Arun Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-12-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in connection with
Akbarpur P. S. Case No. 49 of 2019 dated 15.02.2019
instituted for the offences under Sections 302, 201 and
34 of the Indian Penal Code.

The petitioner is the husband of the deceased.

According to the allegation, the petitioner did
not like the deceased because of her bad looks and
therefore the deceased had come to her parental house.
On a fateful day when the deceased came out of her



parental house, her mother also followed her but no sooner had she reached in front of her Veranda, she found that the deceased was talking to the petitioner and two of his friends. Considering the fact that the petitioner had come to talk to his wife (deceased), the mother of the deceased went inside the house. After about some time when nothing could be heard from either the deceased or her husband, the members of her family came out in search for her. She was not to be found at any place. This information was provided to the petitioner on telephone but he did not respond in a civil manner. Even when the petitioner was informed that the family members of the deceased were proceeding to the police station and that he should come and accompany them for narrating the happenings of the immediate past, he refused. After about a couple of days, a dead body was found thrown by the roadside, which was identified to be that of the deceased.

Hence, the F.I.R.



Considering the nature of the accusation and circumstances of this case, I am not inclined to grant bail to the petitioner.

The prayer is rejected.

All that this Court can direct is that since the charge-sheet in this case has been submitted, the case should immediately be committed to the Trial Court if already not committed and the trial should commence and be concluded as early as possible.

If the trial is not concluded within a period of one year, the petitioner would have the liberty to approach the court below for grant of bail.

The petition is dismissed with the aforesaid observation.

(Ashutosh Kumar, J)

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