

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18586 of 2021

Arising Out of PS. Case No.-145 Year-2012 Thana- LALGANJ District- Vaishali

RAJNISH KUMAR S/o Ram Lagan Thakur Resident of Village-
Sahdullahpur, P.S.- Lalganj, District- Vaishali. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Barun Kumar Choudhary,Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-10-2021 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Lalganj P.S. Case No. 145 of 2012 registered for the offences punishable under Sections 304(B), 201/34 of the Indian Penal Code. The petitioner is in custody 27.09.2020. He has otherwise no criminal antecedent.

As per the prosecution story, the informant got his daughter married to this petitioner on 09.04.2009. After the marriage, all the family members of the petitioner started torturing the daughter of the informant and demanded Rs.25,000/- and a motorcycle as dowry. On 26.08.2012 when the informant visited the house of this petitioner to meet her daughter, she was not there. The villagers informed the informant that her daughter was killed by the family members of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present



case on mere suspicion. The petitioner is in custody since 27.09.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court finds that the case is that of the year 2012, however, the petitioner is in custody since 27.09.2020 only, he is the husband of the deceased and no reason has been shown as to why the petitioner did not surrender for about 8 years after lodgement of the case and further the conduct of the petitioner that he never reported missing of his wife to the nearest police station, this Court is not inclined to release the petitioner on bail at this stage.

Let the trial be expedited.

The prosecution must co-operate in course of trial by producing all the witnesses on the dates fixed in the matter. The learned trial court is expected to conclude the trial preferably within a period of one year. If the trial still remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

