

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31478 of 2020

Arising Out of PS. Case No.-246 Year-2017 Thana- GOGRI District- Khagaria

Sekh Mantoo, aged about 33 years (Male), Son of Nezam @ Seikh Nizamuddin, Resident of Ward No. 2, Itahari, P.S.- Gogri, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-01-2021 Heard Mr. Viveka Nand Singh, learned counsel appearing on behalf of the petitioner, Sekh Mantoo and the learned Additional P.P.

Petitioner seeks bail in Gogri P.S. Case No.246A/2017, registered under Sections 307, 328 and 34 of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act. Later on Section 304(B) of the Indian Penal Code was added.

The informant is the wife of the petitioner and she alleged that she was married with the petitioner 15-20 years ago but on 23.05.2017, her father-in-law sprinkled kerosene oil on the body of the informant and Sekh Mantoo, the petitioner ignited the fire. The informant was treated in Referral Hospital, Gogri. Later on the informant succumbed to the burn injuries.

Learned counsel for the petitioner submits that the



father-in-law of the deceased has already been granted bail. The petitioner is of course the husband but he is in custody since 23.10.2019 and he has remained in jail for more than a year.

Taking into consideration the facts that it was the petitioner who ignited fire in the body of his wife who later on succumbed to the burn injuries, I am not not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within nine months from the date of receipt of this order.

The Superintendent of Police, Khagaria is directed to ensure the attendance of the prosecution witnesses in the trial court so that the trial must be concluded within nine months.

If the trial is not concluded within nine months, the petitioner, if so advised, may renew his prayer for bail.

Let a copy of this order be sent to the trial court as well as the Superintendent of Police, Khagaria for information and needful.

(Prabhat Kumar Jha, J)

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