

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26045 of 2022

Arising Out of PS. Case No.-78 Year-2020 Thana- JAMOBABAZAR District- Siwan

VINOD PAL S/o Paras Pal Resident of Village- Indauli Siraj, P.O.-
Bahadurpur, P.S.- Jamo Bazar, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajat Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with Jamo
Bazar P.S. Case No. 78 of 2020 under Sections 304(B), 201 and
506/34 of the Indian Penal Code.

The prosecution case in brief is that the informant
received information that his daughter Sheela Devi is not well.
On information, he reached the house of his daughter and found
that last rituals of his daughter is being performed. The
informant further alleged that his daughter always use to call
him that the petitioner's family including the petitioner herein



tortured her and demanded money.

Admitted fact is that the petitioner is the husband of the deceased. The death occurred on 10.05.2020. The informant got knowledge that the deceased is indisposed but when he reached in-law's house, he was informed that the mortal remains have already been consigned to flame. Further the informant has alleged that the lady was regularly tortured for want of dowry coupled with the fact that even he was not allowed to see the face of his deceased's daughter after her death. He has alleged that the present petitioner and family member killed his daughter.

Learned counsel for the petitioner submits that although the occurrence is of 10.05.2020, the FIR has been lodged on 17.05.2020 and the informant has not narrated the said delay. He however, on his part failed to satisfy the Court on the point that the occurrence took place on 10.05.2020 but why he chose to finally walk into judicial custody only on 01.02.2022.

Considering the fact that he is the husband of the deceased, the informant was not allowed to see the face of the deceased lady and without waiting for the deceased lady's family member, the mortal remains were consigned to flame,



there is delay of almost 21 months in finally coming into the judicial net, this Court for the present is not inclined to grant him the privilege of bail which is accordingly rejected.

The Trial Court is hereby directed to expedite the trial and conclude the same expeditiously.

(Rajiv Roy, J)

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