

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31642 of 2022

Arising Out of PS. Case No.-103 Year-2021 Thana- MOHIUDDIN NAGAR District-
Samastipur

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RAJU KUMAR Son of VINOD SINGH R/O- VILL- MADUDABAD TOLE-
BRAHAMSTHAN P.S.- MOHIUDDINNAGAR, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1
For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Mohiuddinagar P.S.

Case no. 103/2021 registered for the offences punishable under

sections 304B and 201/34 of the Indian Penal Code.

The main allegation is that the petitioner who happens

to be husband of the deceased always tortured the deceased for

demand of money and finally, he killed the victim with the help

of his family members and also disappeared the dead body of

the deceased.

The main submissions advanced by Sri Mukesh



Kumar No. I, the learned counsel for the petitioner are that petitioner has been languishing in jail since 14.9.2021 and two children of the petitioner are presently not under the care of anyone, in fact, deceased was suffering from multiple diseases and she died due to failure of organs, during investigation witnesses stated that deceased was taken to the doctor by the accused persons for medical treatment and she died during course of treatment and investigation has been completed in respect of the petitioner.

Sri Ram Sevak Choudhary, learned APP appearing for the State has opposed the prayer for bail and submitted that there is serious allegation against the petitioner, he does not deserve bail as accused persons including the petitioner disappeared the dead body of the victim due to which actual cause of death could not be ascertained.

Heard both sides and perused the FIR. Admittedly, victim died within 07 years of her marriage which was unnatural death and there is specific allegation against the petitioner and as per informant petitioner always tortured the deceased for money, as per prosecution dead body of the deceased was disappeared by the accused persons owing to that real cause of death could not be found out and in this regard conduct of the



petitioner and his family members remained highly suspicious.

In the light of these facts and mainly considering the seriousness of allegation appearing against the petitioner who seems to be the main accused of this case, in the opinion of this court, petitioner does not deserve privilege of bail and accordingly his prayer for bail stands rejected.

Trial court is directed to expedite the trial of the petitioner and take steps to conclude the same at the earliest preferably within one year. If the trial of the petitioner is not concluded within the stipulated period, he may renew his prayer for bail before the trial court. If he avails the said liberty, the trial court shall decide the bail petition on merits without being prejudiced by this order.

(Shailendra Singh, J)

s.hassan/-

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