

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35659 of 2022

Arising Out of PS. Case No.-53 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

Deepak Bind S/o Radhe Bind R/o Vill. - Parsiyaon, P.O.- Chainpur, P.S.-
Chainpur, Dist. - Kaimur (Bhabua.)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Pandey, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-09-2022 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
learned APP for the State.

Petitioner seeks regular bail in connection with
Chainpur P.S. Case No.53 of 2021 registered for the offences
punishable under Sections 304B, 201, 341, 323, 325/34 of the
Indian Penal Code.

As per the allegation, the informant's daughter was
married to the present petitioner in the year 2016 and soon after
the marriage the husband of the deceased and his family
member demanded a motorcycle as dowry. Further allegations
are that on 02.04.2021 at 08:00 AM the informant received an



information that his daughter has been killed and her body has been hastily disposed off by burning it and thereafter when the informant reached the place of occurrence he was brutally assaulted.

The main submissions advanced by the learned counsel Mr. Radha Mohan Pandey for the petitioner are that the petitioner is a labourer and after the death of his wife his two children are residing with the parents of the deceased and there is no appropriate person to look after the children of the petitioner, in fact the deceased committed suicide by hanging herself to a fan and the said suicide has been supported by all the material witnesses during the investigation. Further submission is that the charge has been framed against the petitioner and he is now facing trial and has been languishing in jail since 19.08.2021.

Learned APP Mr. Raj Kishore Singh appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. The informant's daughter who is stated to be wife of this petitioner died by an unnatural death within seven years of her marriage and as per the informant the victim was subjected to cruelty by this petitioner and his family members for the demand of the



motorcycle and finally the accused persons including the petitioner killed the victim and also burnt the dead body without giving any information to the police and when the informant reached at the petitioner's village with his family members then they were assaulted by the accused persons. The allegation appearing against the petitioner from the FIR is serious in nature and admittedly the informant's daughter was cremated by the accused persons without giving any information to the police concerned, owing to that the actual cause of death could not be ascertained. Considering these facts in the opinion of this Court the petitioner does not deserve to the privilege of bail at this stage. Accordingly, his bail prayer stands rejected.

The trial Court is directed to expedite the trial of this petitioner and take steps to conclude the same in the next one year and if the trial of the petitioner is not concluded within the said period then the petitioner may renew his bail prayer.

(Shailendra Singh, J.)

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