

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36811 of 2022

Arising Out of PS. Case No.-152 Year-2019 Thana- DAGARUA District- Purnia

MD. RAYEES S/O LATE MD. QASIM Resident of village- Dhanraha, P.S.-
Kasba, District- Purnea. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Surendra Kumar,Advocate
For the Opposite Party/s :	Mr. Jitendra Kumar Singh, APP
For the Informant :	Mr. Manish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-09-2022 Heard Mr. Surendra Kumar, learned counsel for the
petitioner, Mr. Manish Kumar, learned counsel for the informant
and Mr. Jitendra Kumar Singh, learned counsel for the State.

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

The petitioner is in judicial custody in connection
with Dgarua P.S. Case No. 152 of 2019 for the offences under
Sections 498-A, 304(B), 302, 201 and 120(B)/34 of the Indian
Penal Code.

As per the prosecution story, the daughter of the
informant was married to the petitioner herein but for want of
motorcycle, she was regularly tortured and the allegation is that
when her son visited her in-laws house, she was not found there.
Later, the dead body was recovered from river packed in a bag.
Accordingly, the FIR was lodged.



Learned counsel for the petitioner submits that she remained at her '*maika*' and never came to her in-laws house and was having love affairs and in that background, the allegation are false.

Learned counsel for the informant, on the other hand, submits that there is nothing on record to show that the petitioner or his family members after coming to know that she is neither at her in-laws house nor at her '*maika*', lodged any missing person report.

Taking into account the aforesaid fact that the husband (the petitioner herein), having solemnized the marriage with the victim lady was duty bound to protect her and failed to explain how the lady was packed in a bag and recovered from the river, this Court is not inclined to grant any relief to him. Accordingly, the bail application is rejected.

In view of the fact that the petitioner is in custody since 28.12.2019, the Trial Court is hereby directed to expedite the trial and conclude the same within a period of one year.

(Rajiv Roy, J)

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