

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35191 of 2023

Arising Out of PS. Case No.-53 Year-2021 Thana- PIPRIYA District- Lakhisarai

Pappu Singh @ Shiv Chandra Singh @ Shivchandra Kumar Son of Rajendra
Singh Resident of Village- Walipur, PS- Piparia, District- Lakhisarai
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP
For the Informant : Mr. Hare Krishna Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 29-08-2023 Heard Mr. Arun Kumar, learned Counsel for the

petitioner and Mr. Hare Krishna Prasad, learned Counsel for the

informant as also Mr. Ram Sevak Choudhary, learned APP for

the State.

The petitioner is an accused in connection with
Piparia P.S. Case No. 53 of 2021 corresponding to S.Tr. No. 171
of 2022 registered for the offences under sections 302, 201 and
34 of the Indian Penal Code lodged on 23.05.2021 by the
informant, Niranjana Singh.

As per the prosecution story, the brother of the
deceased submitted a written report stating that her sister was
married to the petitioner 14 years ago but was always tortured
for dowry. Though, in between the couple was blessed with two
child, off late, the petitioner developed affair with one Piku
Devi. This was always protested by her late sister and with
common intention to eliminate her, after pouring kerosene oil,



she was killed. The dead body was recovered only after the police and the locals went to the place outside the home of the petitioner, the lady was found to be burnt to death. Accordingly, the FIR.

It is the case of the petitioner that contrary to the allegation, the petitioner was having clean antecedent, the couple was blessed with two child which shows that they had good relationship, due to business, he had used the ornaments of the lady and in lieu thereof taken some money from the local businessman, infuriated, she took the ultimate step of killing herself. She was being taken to the hospital on a caught but as she died midway, in fear, they escaped.

He submits that for that he has already suffered by being in custody since 24.11.2021 (as stated in paragraph 15 of the bail application).

Learned Counsel for the informant, on the other hand, opposes the prayer for bail stating that the petitioner was in liquor business and off late, developed illicit relationship with a close family member, Piku Devi who is a widow, since this was protested by the lady, she was killed. It is his submission that she was six months pregnant at the time of her death.

The further submission is that the trial has already



commenced and as such, it would be appropriate that the petitioner faces trial.

Learned APP for the State on the basis of the case diary submits that the police has found the prosecution story to be true and accordingly charge sheet stands submitted amongst other the petitioner herein.

Considering the kind of allegation that has come against the petitioner, the fact remains that after her death, the dead body was not at her in-laws home rather was found by the police and locals at an open place much away from the house, the police has submitted charge sheet against him, it would be appropriate that he faces the trial since according to the informant, the same has already commenced and one of the prosecution witness was examined in the months of January, 2023 itself.

The bail application accordingly stands rejected with direction to the Trial Court to expedite the same and conclude it within a period of nine months from today.

(Rajiv Roy, J)

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