

Bhagirath Vs. State

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Court : Rajasthan

Decided On : Nov-28-1996

Reported in : 1997(2)WLC291; 1996(2)WLN555

Judge : Rajendra Saxena, J.

Appeal No. : S.B. Cr. Misc. 3rd Bail Application No. 6296 of 1996

Appellant : Bhagirath

Respondent : State

Disposition : Application dismissed

Judgement :

Rajendra Saxena, J.

1. This is third bail application filed on behalf of the petitioner, whose earlier bail applications have been rejected by this Court's orders dated 19.8.96 & 23.9.96. Now the learned trial Judge vide order dated 8.11.96 after perusing the evidence collected by the Investigating Officer has framed charge for offence Under Section 302 IPC and in the alternative for offence Under Section 304B & 498A IPC against the petitioner who is the husband of deceased Sita Devi. The learned trial Judge has also rejected the bail application of the petitioner.

2. I have heard and perused the challan papers and other relevant record. Deceased Sita Devi was married on 8.5.95 to the petitioner. Prima facie, there is evidence collected by I.O. to the effect that the petitioner and his family members had demanded a scooter and Rs. 20,000/- as dowry and they used to harass and maltreat her. On 4.5.96 Smt. Sita Devi died in abnormal circumstances. The doctor, who conducted post mortem examination has opined that the cause of her death was coma and asphyxia as a result of fracture of occipital bone of skull.

3. Therefore, keeping in view all the facts and circumstances of the case, at this stage I do not find any valid and substantial ground to grant bail to the petitioner. However, the learned trial Judge is directed to expedite the trial of this case at the earliest convenience.

4. Accordingly, this bail application stands dismissed.

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