

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53378 of 2015

Arising Out of PS.Case No. -278 Year- 2004 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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1. Bijay Sharma @ Vijay Sharma Son of Late Bachchu Sharma resident of
Tarapur (Near Police Station), P.S. Tarapur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sunita Sharma wife of Bijay Sharma, Daughter of Binod Sharma,
presently residing at Puraniganj, P.S.- Kasim Bazar, District Munger.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Gajendra Pd. Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 26-11-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner being husband of the complainant is languishing in jail custody since 6.9.2015 in a complaint case in which prima facie case for the offences punishable under section 498A, 323, 341, 494, 504 and 379 of the Indian Penal Code was made out after due inquiry. Moreover, annexure-2 of this petition reveals that there is long standing litigations between the petitioner and his wife and according to the complaint case itself, the marriage of the petitioner was solemnized with the complainant in the year 1987 and the complainant filed complaint

case in the year 2004 but even after getting the knowledge of pendency of the aforesaid case, petitioner could evade his arrest and subsequently, he was caught by the police and sent to jail custody on 6.9.2015.

Considering the above stated conduct of the petitioner as well as facts and circumstances of the case, I am not inclined to release the petitioner on bail in connection with Complaint Case No. 278C of 2004, pending in the court of Judicial Magistrate 1st class, Munger and accordingly, his prayer for bail stands rejected at least, at this stage.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible preferably within four months from the date of receipt/production of copy of this order even by taking the trial of the petitioner on day to day basis.

(Hemant Kumar Srivastava, J)

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