

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24559 of 2016

Arising Out of PS.Case No. -154 Year- 2013 Thana -VAISHALI District- VAISHALI(HAJIPUR)

Didar Warsi son of Md. Hasim Wasri, Resident of village- Madarna, P.S.-
Vaishali, District-Vaishali at Hajipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. A. Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-08-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Vaishali P.S. case No.154
of 2013 instituted for the offence under Sections 326, 307 and
304(B) of the Indian Penal Code, pending in the court of learned
Additional District and Sessions Judge-II, Vaishali at Hajipur.

The prosecution case, in brief, is that the informant was
married with petitioner about three years ago. After marriage the
petitioner started demanding Rs.50,000/- and a motorcycle as
dowry and due to non-fulfilment she was subjected to torture and
cruelty in various ways by the petitioner. On 3.6.2013 the husband
of the informant sprinkled kerosene oil on her body and set
ablaze, but her mother-in-law and Devar saved her and brought to
Lalganj Hospital for treatment and from where she was referred to

Sadar Hospital and then to P.M.C.H., Patna. During course of her treatment she died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.12.2013. The trial is already in progress. There is no allegation of tampering of witnesses against the petitioner. The petitioner has falsely been implicated in the present case. Earlier the bail application of the petitioner was rejected vide Cr.Misc.No.31939 of 2014.

A report was called for from the Trial Court regarding the stage of the trial. It has been reported that only the Investigating Officer and the doctor are to be examined in the case on behalf of the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take all necessary steps to conclude the trial within a period of five months on day-to-day basis from the date of receipt/production of a copy of this order.

The District Magistrate, Vaishali at Hajipur and the Superintendent of Police, Vaishali at Hajipur are also directed to take necessary steps to produce the witnesses on the date fixed by

the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Vaishali at Hajipur and the Superintendent of Police, Vaishali at Hajipur.

(Sudhir Singh, J)

Narendra/-

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