

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5504 of 2016

Arising Out of PS.Case No. -63 Year- 2005 Thana -BAHERA District- DARBHANGA

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Asad Jilani @ Asad Gilani Khan, son of late Sulaiman, Resident of Village-
Ashapur, P.S. –Bahera, District -Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 14-12-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the victim is languishing in jail since 22.01.2015 in a case registered for the offences punishable under Sections 498A, 341, 323, 304B, 504, 120B and 504 of the Indian Penal Code.

The prosecution case is of causing burn injury to the victim after one year of the marriage for non-fulfillment of the dowry demand but subsequently, the victim succumbed to the injuries.

It is submitted by learned counsel for the petitioner that on the basis of initial statement of the victim Sanha diary entry was made but no accusation was levelled against the petitioner but in the subsequent statement on the basis of which



FIR has been registered, the accusation has maliciously been levelled but most of the independent witnesses have not supported the accusation.

The report of the Senior Superintendent of Police, Darbhanga, received through letter no.7063, dated 26.09.2016, kept at 'Flag-C' reflects that only I.O. of the case namely Viteshwar Prasad is left to be examined and who is supposed to be examined on 25.10.2016.

Learned counsel for the petitioner very fairly submits that prosecution evidence has already been closed.

Considering the present stage of the trial, this Court is not inclined to interfere. Accordingly, the prayer for bail is dismissed in connection with Baheda P.S. Case No. 63 of 2005 pending in the court of learned Second Addl. Session Judge, Benipur, Darbhanga.

It is expected from the learned trial to expedite the trial and conclude the same preferably within a period of four months.

(Dinesh Kumar Singh, J)

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