

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7505 of 2016

Arising Out of PS.Case No. -11 Year- 2014 Thana -DINARA District- SASARAM (ROHTAS)

Vishwamitra Sah Son of late Dasarath Sah Resident of Village+_Po
Daiyadhan, P.S. Dinara, District Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Satya Ranjan Sinha, Advocate.

For the Opposite Party : Mr. Shakir Ahmad(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 30-03-2016 Heard learned counsel for the petitioner and the State.

The petitioner has renewed his prayer for bail in a case registered for the offences punishable under Sections 341, 323, 498 (A), 304(B) and 34 of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected by a co-ordinate Bench of this Court vide orders passed in Cr. Misc. No. 41076 of 2014 on 17.04.2015, but the matter has been placed under the heading 'For Admission' before this Court in view of the administrative order of Hon'ble the Acting chief Justice dated 29.02.2016 since the concerned Bench is not available due to medical exigency.

The prosecution case is of killing of the daughter of the informant and cremation of the dead body within four years of

marriage.

It is submitted by the learned counsel for the petitioner that the victim died due to snake bite, hence no case under Section 304(B) of the Indian Penal Code is made out.

This Court vide order dated 01.03.2016 called for a report regarding present stage of trial and the report of the learned 7th Additional Sessions Judge, Rohtas at Sasaram has been received which is at 'Flag B'. The report reflects that six witnesses have been examined and only informant and investigating officer are left to be examined now.

Considering the present stage of trial, this Court is not inclined to interfere with the earlier order passed by a co-ordinate Bench of this Court in Cr. Misc. No. 41076 of 2014 on 17.04.2015, hence the application is dismissed.

It is expected that the learned trial Court shall take necessary steps to conclude the trial at earliest and transmit a report to this Court forthwith.

(Dinesh Kumar Singh, J.)

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