

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6418 of 2016

Arising Out of PS.Case No. -101 Year- 2015 Thana -ALOULI District- KHAGARIA

=====

Shambhu Singh S/o Satyanarayan Singh Resident of Village - Dih
Sanjhauti, P.S. - Alauli, District - Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate.

For the Opposite Party : Mr. Sadanand Paswan, Spl. APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-02-2016 Heard learned counsel for the petitioner and the learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Alauli P.S. Case No. 101 of 2015 pending in the Court of
Incharge Sessions Judge, Khagaria for the offences instituted
under Sections 302, 201 and 120(B)/34 of the Indian Penal Code
and Section 3(i)(x) of SC/ST (POA)Act.

The prosecution case in short is that the informant has
lodged FIR against the petitioner and co-accused persons wherein
it is basically mentioned that the FIR named accused persons
committed murder of Jyoti Kumari, the daughter of the informant
and disappeared her dead body. It is also alleged that the
informant further came to know that petitioner had illicit relation

with deceased who used to give tuition to deceased and the deceased had become pregnant for which wife of petitioner had abused the deceased referring her caste name '*Chamain*'.

The earlier bail application of the petitioner was rejected vide order dated 14.10.2015 passed in Cr.Misc.No.40202 of 2015. It has been submitted on behalf of the petitioner that though earlier the case was instituted for an offence under Section 302 of the Indian Penal Code but the chargesheet has been submitted for an offence under section 306 of the Indian Penal Code and the cognizance has also been taken under Section 306 of the Indian Penal Code.

From perusal of the earlier order, it is evident that the deceased is none but the student of the petitioner who was done to death by the petitioner. Petitioner being a teacher had made a physical relationship with her.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, I find no fresh ground for considering the second anticipatory bail application on behalf of the petitioner, the same is rejected.

Anyhow, the trial court is directed to all necessary steps

to expedite the trial of the case and conclude the same preferably within a period of one year from the date of receipt/production of a copy of this order. The District Magistrate and the Superintendent of Police, Khagaria are also directed to cooperate with the Court at the stage of trial so that the trial may be concluded within the stipulated period.

(Sudhir Singh, J)

B.Kr./-

U		T	
---	--	---	--