

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10968 of 2016

Arising Out of PS.Case No. -158 Year- 2014 Thana -KADAMKUAN District- PATNA

=====

Chetan Sao son of Late Kamla Prasad, resident of Mohalla- Nathu Gope
Lane, Chai Tola, P.S.- Kadamuan, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance:

For the Petitioner/s : Mr. Madan Jeet Kumar

For the Opposite Party/s : Mr. J. N. Thakur, APP.

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

9 30-06-2016 Heard learned counsels for the petitioner and the

State. None appears for the informant.

The Petitioner being the husband of the victim
languishing in jail since 13.02.2015 in a case registered for the
offences punishable under Sections 498A, 304B and 201/34 of
the Indian Penal Code.

The basic accusation is of killing the daughter of
the informant after about 5 years of marriage by administering
poison.

It is submitted by the learned counsel for the
petitioner that there is no eye witness to the occurrence. The
victim died due to illness and the accusation of torture for
demand of dowry after five years of marriage appears to be

unreasonable.

A report from the learned Additional Sessions Judge-VII, Patna reflects that out of seven witnesses, only two witnesses have been examined, though this report stipulates that it will take one and half year to conclude the trial which appears to be unreasonable.

Considering the nature of accusation against the petitioner being husband of the victim, this Court is not inclined to grant bail to the petitioner in connection with Kadamkuan P.S. Case No. 158 of 2014 pending in the Court of learned Additional Sessions Judge-VII, Patna.

Accordingly, this application is dismissed.

Keeping in view the fact that the petitioner is in custody since 13.02.2015, it is expected from the learned Court below to conclude the trial within seven months. If the trial is not concluded within seven months, the petitioner will be at liberty to renew his prayer for bail.

Let the order be transmitted to the learned Court below.

(Dinesh Kumar Singh, J.)

Mishra/-

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