

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36272 of 2016

Arising Out of PS.Case No. -189 Year- 2014 Thana -MAKHDUMPUR District- JEHANABAD

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1. Ganga Devi W/o Kameshwar Singh
 2. Kameshwar Singh S/o Late Rambriksh Singh Both residents of Village-
Kharauna, P.S- Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Sufiyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-09-2016 Heard learned counsel for the petitioners and
the State.

Petitioners being the parents of the husband of
the informant are languishing in custody since 29.02.2016
in a case registered for the offences punishable under
Sections 498A, 307/34 of the Indian Penal Code.
Subsequently, Sections 304B of the Indian Penal Code and
3/4 of the Dowry Prohibition Act were added.

The prosecution case is that the informant was
being tortured for non-fulfillment of further dowry demand
of rupees two lakhs. On 10.06.2014 at 11.30 P.M. in the
night the petitioners and husband of the informant poured

Kerosene Oil and caused burn injury to the victim. Subsequently, the victim succumbed to the injuries.

It is submitted by the learned counsel for the petitioner that last witness was examined six months ago, which reflects the casual manner in which the trial is proceeding.

This Court vide order dated 23.08.2016 called for a report from learned trial court as under what circumstances the trial has not concluded and the period in which the trial is likely to be concluded. Perused the report dated 27.08.2016 of learned Additional Sessions Judge-II, Jehanabad. This Court is constrained to observe that the report does not stipulate as when charge was framed and how many witnesses the prosecution supposed to examine and when the last witness was examined. Hence, it is expected from the learned trial court to be careful in transmitting the report in future.

Considering the report of the learned trial court, wherein it has been stipulated that only four witnesses are left to be examined and the trial is likely to be concluded within a period of four months, keeping in view of the specific accusation by the victim against the petitioner, this Court is not inclined to grant bail to the petitioner in connection with Makhdumpur P.S. Case No. 189 of 2014, pending in the court of learned Additional Sessions Judge-

II, Jehanabad.

Accordingly, the bail application is dismissed.

It is expected from the learned trial court to adhere to the time frame for concluding the trial as suggested by learned trial court in its report dated 27.08.2016.

(Dinesh Kumar Singh, J)

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