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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31211 of 2016

Arising Out of PS.Case No. -48 Year- 2014 Thana -MAHARAJGANJ District- SIWAN

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1. Dhurendhara Mahato son of Late Ranjeet Mahato Resident of Village- Pasanauli, P.S Daraunda District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ramchandra Sahni
For the State : Mr. Umesh Lal Verma (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

6 21-11-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The Forensic Science Laboratory report was called for in connection with the present case which has now been received in the sealed cover. The report of the Forensic Science Laboratory clearly reveals that the thimet was detected in dark brown fluid which is an organo phosphorous pesticide and is commonly used in agriculture for killing pests and is highly poisonous.

Considering the fact that the petitioner is husband in a case under Section 304B of the Indian Penal Code and that it is his moral responsibility to protect his wife, I am not inclined to grant anticipatory bail to this petitioner in connection with Maharajganj P.S. Case No. 48/2014. It is accordingly rejected.

However, considering the fact that trial is well under way and the prosecution witnesses are now being examined and out of six, five witnesses have already been examined and one is yet to be examined. It is expected that the trial shall be concluded shortly.

The Forensic Science Laboratory report which has been received is being sent down to the Court below for being kept on record so that it may facilitate the conclusion of the trial.

In view of the aforementioned facts and circumstances, it is directed that the court shall conclude the trial within a period of four months from the date of receipt of a copy of this order.

It is made clear that no unnecessary adjournment should be sought for by any of the parties or given by the trial Court, who shall proceed in this case on day-to-day basis. In case, the prosecution uses dilatory tactics, the same shall not be permitted by the trial Court.

(Anjana Mishra, J)

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