

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35208 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

Mani Kumar Poddar(Husband), son of Bisheshwar Poddar, resident of Motibag, Police- Station- Kishanganj, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dilip Kumar Singh, Advocate.

For the Opposite Party : Mr. Aditya Narayan Singh-1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is languishing in custody since 07.01.2016 in connection with Kishanganj P.S. Case No. 08 of 2016 for the offences instituted under Section 304(B)/34 of the IPC.

The accusation is of killing the sister of the informant due to non-fulfilment of dowry demand by the accused persons.

The earlier bail application of the petitioner was rejected vide Annexure-1 to the present application. This is second attempt on behalf of the petitioner for grant of bail.

A report was called for from the court below regarding the stage of the case indicating within what period the trial is



expected to be concluded. The report has been received and the same is kept at Flag-‘B’. It has been reported that the charge has been framed on 27.06.2016. Summons have already been issued upon the prosecution witnesses. Communication has been made to the District Magistrate and Superintendent of Police regarding the date fixed for the evidence but the prosecution is not co-operating the court as not a single witness has been produced on the date fixed by the court.

It is unfortunate on the part of the District Magistrate and the Superintendent of Police that they are not co-operating with the court below.

Considering the aforesaid facts and circumstances, I find no fresh ground for granting bail to the petitioner. The same is rejected in Kishanganj P.S. Case No. 08 of 2016, pending in the court of the learned C.J.M. Kishanganj.

The District Magistrate, Kishanganj and the Superintendent of Police, Kishanganj are directed to ensure that the prosecution witnesses are produced in the court on the date fixed for their evidence.

Let a copy of this order be communicated to the District Magistrate, Kishanganj and the Superintendent of Police,

Kishanganj, so that the trial of the case could be concluded at the earliest.

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(Sudhir Singh, J)

