

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9353 of 2016

Arising Out of PS.Case No. -96 Year- 2014 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Rajesh Kumar @ Rajesh Sah S/o Ram Chander Sah@Ram Chandra Sah
R/o Village- Pandaypur P.O. Navadih P.S. Indirpuri District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 30-03-2016 Heard the counsel for the petitioner and the APP for
the State.

This repeat application seeking bail in connection with
S.Tr. No. 538 of 2014, arising out of Dehri (Indirapuri) P.S. Case
No. 96 of 2014 registered under Sections 304(B), 201/34 of the
Indian Penal Code.

The petitioner is the husband of the victim who died
within three years of her marriage in the matrimonial home. His
prayer for bail was earlier rejected vide order dated 14.05.2015
(Annexure-1). However, the Court granted liberty to the
petitioner to renew his prayer for bail, if the charges are not
framed within ten months from the date of the order.

Status report was called for which is placed at Flag-
'X'. On perusal thereof, it appears that charges have already

framed under relevant penal sections of the Indian Penal Code, inasmuch as three witnesses cited in the charge sheet have been examined.

The counsel for the petitioner submitted that witnesses examined in the case have not alleged about the presence of the petitioner at the time of occurrence. The petitioner is in custody since 15.05.2014.

On the other hand, APP for the State opposes the prayer.

Considering the facts and circumstances of the case, I am not persuaded to direct release of the petitioner on bail. Prayer is accordingly, rejected. However, the Court observes that Trial Court shall take steps in right earnest to examine the remaining PWs within five months from the date of receipt/production of a copy of this order, failing which the petitioner shall have liberty to renew his prayer for bail in the court below itself for consideration.

(Kishore Kumar Mandal, J)

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