

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32255 of 2016

Arising Out of PS.Case No. -122 Year- 2013 Thana -MARAUNA District- SUPAUL

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1. Khakhan Nayak son of Late Darbari Nayak Resident of Village- Belhi
P.S. Maraura District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

For the Opposite Party/s : Mr. Smt Anuradha Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 30-11-2016

Heard both sides.

The petitioner seeks bail in Marauna P.S. case No.
122 of 2013 under Section 302, 120B/34 of the Indian Penal Code.

The learned counsel for the petitioner submits that
prayer of petitioner for bail was earlier rejected by this court vide
order dated 21.01.2015 passed in Cr. Misc. No. 34678 of 2014
with a direction to the trial court to conclude the trial within one
year but only seven witnesses have been examined as yet. Even
the informant became hostile. The petitioner is in jail since
11.02.2014. The petitioner is in jail for last two years and nine
months.

It appears that there is specific allegation against the
petitioner that he assaulted his daughter-in-law with Dabiya, a

sharp edged weapon, causing her death on the spot.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The learned trial court is directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of this order.

The Superintendent of Police, Supaul is directed to ensure the attendance of all the prosecution witnesses of Marauna P.S. case No. 122 of 2013, corresponding to Sessions Trial No. 97 of 2015, in the court of learned 2nd Additional Sessions Judge, Supaul so that the trial must be concluded within six months.

If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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