

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28753 of 2016

Arising Out of PS.Case No. -176 Year- 2012 Thana -RAJAULI District- NAWADA

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1. Dharmendra Singh Son of Surendra Singh resident of village - Dekpura,
P.S. Rahui, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 30-11-2016

Heard both sides.

The petitioner seeks bail in Rajauli P.S. case No. 176
of 2012 under Section 304B/34 of the Indian Penal Code.

The learned counsel for the petitioner submits that
the deceased caught fire accidentally, while she was cooking food.
She made her statement before the police of Patrakar Nagar P.S.
on which relatives of the deceased made signature. Yashoda Devi,
mother of the deceased, has been examined as PW 5, during the
course of trial, and she did not support the prosecution case. The
petitioner is in jail for about three years but it appears that the
deceased died due to burn injuries within two years of her
marriage. The petitioner is the husband. The trial has begun and
only official witnesses are yet to be examined. From a perusal of

the order of learned Additional Sessions Judge-II, Nawada, it appears that PW 1 to 4 have supported the prosecution case.

Considering the fact that the trial is at its fag end, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The Superintendent of Police, Nawada is directed to ensure the attendance of prosecution witnesses of Rajauli P.S. case No. 176 of 2012, corresponding to Sessions Trial No. 114 of 2014/33 of 2016, in the court of learned 2nd Additional Sessions Judge, Nawada so that the trial must be concluded within four months from the date of receipt of this order.

(Prabhat Kumar Jha, J)

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