

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23447 of 2016

Arising Out of PS.Case No. -208 Year- 2014 Thana -PALIGANJ District- PATNA

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1. Manoj Kumar S/o Gyanchand Mahto R/o Village- Dharhara P.S.
Paliganj, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. A.Haque Sahara(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 26-04-2017 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the victim is languishing in custody since 31.10.2014 has renewed his prayer for bail in a case registered for the offences punishable under Sections 341, 323, 307, 498A, 201/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act. Subsequently, section 306 of the IPC was also added.

The accusation is of killing the daughter of the informant after one and half years of the marriage for non-fulfillment of the dowry demand. The informant came to know about the occurrence through a co-villager of the petitioner to the effect that the victim was killed by causing serious burn injury.



It is submitted by learned counsel for the petitioner that the independent witnesses during investigation suggested that the relationship between the petitioner and the victim had been cordial. At the time of occurrence, the petitioner was not in the house and it was the petitioner, who informed the informant about the attempt being made by the victim to commit suicide and took the victim to hospital for providing medical assistance.

Earlier prayer for bail of the petitioner was rejected vide order dated 07.05.2015, passed in Criminal Miscellaneous No.9817/2015 with a liberty to renew the prayer for bail, if the trial is not concluded within a period of one year.

The report of the learned Additional Sessions Judge-VII, Danapur, received through Letter No. 65, dated 28.03.2017, reflects that the trial will be concluded within a period of two months.

In the circumstances, this Court is not inclined to interfere. Accordingly, the prayer for bail of the petitioner in connection with Paliganj P.S. Case No.208/2014, pending before the learned SDJM, Danapur, Patna, is rejected.

However, if the trial will not be concluded within a period of two months from the date of the report as suggested by the learned Trial Court except due to the laches on the part of the



petitioner, the learned Court below will consider the prayer for
bail of the petitioner.

(Dinesh Kumar Singh, J)

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