

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6876 of 2017

Arising Out of PS.Case No. -9 Year- 2013 Thana -TANDWA District- AURANGABAD

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Sharwan Kumar @ Shrawan Kumar, S/o Kailash Paswan, resident of
Village- Beni Gunjher Tola, Reghubir Bigha, P.S.- Tandawa, District-
Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 08-03-2017 Heard both sides.

The petitioner seeks bail in Tandawa P.S. Case No. 9
of 2013 registered under Section 302/34 of the Indian Penal Code
corresponding to Sessions Trial No. 80 of 2014/ 9 of 2014.

The petitioner is the husband of the deceased. The
prayer for bail of the petitioner was earlier rejected vide order
dated 22.12.2014 passed in Cr. Misc. No. 29912 of 2014.

Shri Krishna Prasad Singh, learned Senior counsel for
the petitioner, submits that the petitioner being the husband is in
jail since 13.9.2013. The petitioner has already remained in
custody for three and half years, but till date only one witness has
been examined. It appears that the wife of the petitioner was



strangled to death and burnt injury was post-mortem.

Considering the facts stated above, I am not inclined to enlarge the petitioner on bail at this stage. The prayer for bail is rejected.

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

Since the petitioner is in jail for 3 ½ years, the S.P., Aurangabad is directed to ensure the attendance of non-examined witnesses in the trial court so that the trial must be concluded within six months. If the trial is not concluded within six months, then the petitioner may renew his prayer for bail.

Let a copy of this order be sent to the trial court and the S.P., Aurangabad for information and needful.

(Prabhat Kumar Jha, J)

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