

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57709 of 2015

Arising Out of PS.Case No. -69 Year- 2014 Thana -TEDHAGACHH District- KISANGANJ

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Krishna Kumar Mandal, S/o Devi Lal Mandal, resident of Thewapara, P.S.-
Terhagachh, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 22-02-2017 Heard learned counsels for the petitioner and

learned APP for the State.

The petitioner being the husband of the victim has renewed his prayer for bail in a case registered for the offences punishable under section 302 of the Indian Penal Code in connection with S.T. No.250/15A arising out of Terhagachh P.S. Case No.69/2014, pending before the learned Additional Sessions Judge-I, Kishanganj.

The prosecution case is that the petitioner assaulted the informant who happens to be the niece of the informant Gulab



Chand Mandal for the reason that the victim visited her Mausi's house without permission of the petitioner. Consequently, the victim succumbed to the injuries.

It is submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 28.09.2014 and the trial has not concluded. Moreover, the accusation does not get corroborated with the medical evidence which suggests head injury when the accusation of assault is with fists and slaps. The report of the learned Additional District and Sessions Judge-1st, Kishanganj, dated 14th February, 2017, reflects that out of seven charge-sheet witnesses five have been examined and only I.O. and the informant have been left to be examined.

Considering the advance stage of the trial, this Court is not inclined to revise the earlier order. Accordingly, the application for bail on behalf of the petitioner is rejected.

Let the Superintendent of Police, Kishanganj, made all effort to produce; both, the I.O. and the informant, on the next date fixed and transmit a report to this Court in this regard.

It is expected from the learned Court below to take all coercive steps provided under the Code of Criminal Procedure for production of the informant and the I.O. and conclude the trial within a period of four months. However, if the trial will not be



concluded within a period of four months, the petitioner would be at liberty to renew the prayer for bail.

Let a copy of this order be transmitted to the Superintendent of Police, Kishanganj.

(Dinesh Kumar Singh, J)

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