

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7848 of 2017

Arising Out of PS.Case No. -78 Year- 2014 Thana -JAYNAGAR District- MADHUBANI

=====

1. Sunil Yadav @ Sunil Kumar Yadav, S/o Indrajeet Yadav @ Indrajeet Kumar Yadav, Resident of Village- UIchhal, Police Station- Jainagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti

For the Opposite Party/s : Mr. Md. Fahimuddin

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-02-2017 The petitioner is in custody since 16.09.2016 in connection with Jainagar P.S. Case No. 78 of 2014, registered for offences punishable under Sections 304(B)/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that petitioner has been implicated in this case because he happens to be the husband of the deceased. It has further been submitted that postmortem report does not show any injury on the person of the informant and the person died during her treatment. It has also been submitted that now a petition has also been filed by the informant before the court below stating that he has filed the present case by mistake. Charge-sheet in this case has been filed and the petitioner has been in judicial custody since 16.09.2016.



Heard learned A.P.P. also.

Having heard both sides, in view of the fact that in the case diary it has come that several witnesses have supported the case of the prosecution. It has also come in case diary that viscera has been kept reserved to find out the exact cause of death of the deceased and in the inquest report, the death of deceased was stated to be due to poisoning, as such, I am not inclined to grant the petitioner, the privilege of regular bail, it is accordingly rejected.

However, the trial court is directed to expedite the trial and try to conclude it as soon as possible by examining the witnesses including informant and once the informant is examined in this case, the petitioner will be at liberty to renew his prayer for bail before the court below itself, which will be considered by the court below on the merit of the case, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

sunil/-

U			
---	--	--	--

