

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42635 of 2017

Arising Out of PS.Case No. -209 Year- 2015 Thana -HASPURA District- AURANGABAD

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Dhananjay Kumar @ Laukesh, son of Shiv Biahri Singh, resident of
Village- Purhara, P.S. Haspura, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anju Mishra, Advocate.

For the Opposite Party : Mr. Ramchandra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
29.01.2016 in connection with Haspura P.S. Case No. 209 of
2015, S.T. No. 501 of 2016-17 for the offence registered under
Sections 304(B), 201/34 of the Indian Penal Code and 3/4 of the
D. P. Act.

The prosecution story, in brief, is that marriage of the
informant's daughter was solemnized with this petitioner. After
two years of marriage, his daughter was used to torture for
demand of Motorcycle and Golden Chain. On 29.12.2015, when
the informant came to *Sasural* of his daughter, he did not find his
daughter there and came to know from the Villagers that his



daughter has been killed.

This is third attempt on behalf of the petitioner for grant of bail.

Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 26614 of 2016 dated 26.08.2016 and Cr. Misc. No. 7398 of 2017, dated 19.04.2017 taking into account that the petitioner is the husband of the deceased and onus is upon the petitioner to explain the cause of death of the deceased(wife).

A report was called for from the court below regarding the stage of the case. It has been reported that six prosecution witnesses have already been examined and four witnesses are remained to be examined.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Haspura P.S. Case No. 209 of 2015, Sessions Trial No. 501 of 2016-17, pending in the court of learned S.D.J.M. Daudnagar, Aurangabad. The court below is directed to take all necessary steps to conclude the trial within a period of five months from the date of receipt/production of copy of this order.

It has been pointed out that on earlier occasion also vide order dated 19.04.2017 passed in Cr. Misc. No. 7398 of 2017, a similar direction was made to the Court below, District



Magistrate, Aurangabad as well as the Superintendent of Police, Aurangabad, but still the trial of the petitioner has not been concluded. It is expected that the District Magistrate, Aurangabad and the Superintendent of Police, Aurangabad, will take all necessary steps to ensure that the prosecution witnesses are produced on the date fixed by the court below so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Aurangabad and the Superintendent of Police, Aurangabad.

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(Sudhir Singh, J)

