

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32614 of 2017

Arising Out of PS.Case No. -188 Year- 2014 Thana -BALRAMPUR District- KATIHAR

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Md. Faraj Alam, son of Late Sekh Samiruddin, resident of Village-
Salampur, P.S.- Balrampur, District- Katihar.

..... Petitioner

Versus

The State of Bihar.

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Musowir, Advocate.
For the Opposite Party : Mr. Ataur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
04.11.2014 in a case registered for the offence under Sections 302
and 201 of the IPC.

The prosecution story, in brief, is that on 28.10.2014,
the daughter of the informant Arefa Khatoon went to Dalkola
Maeket with this petitioner on Cycle but she did not return and
later on her dead body was found nearby the Railway Line.

The bail application of the petitioner was rejected
twice. One vide Cr. Misc. No. 22044 of 2015 dated 20.07.2015



and second vide Cr. Misc. No. 32538 of 2016 dated 23.11.2016. Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 32538 of 2016 dated 23.11.2016 taking into account that the petitioner being the husband of the deceased and onus is upon him to explain the cause of death of the deceased

A report was called for from the court below regarding the stage of the case. It has been reported that out of 17 prosecution witnesses, 12 witnesses have already been examined.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Trial No. 57 of 2015, arising out of Balrampur P.S. Case No. 188 of 2014, pending in the court of learned 2nd A.D.J. Katihar.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of copy of this order.

The District Magistrate, Katihar and the Superintendent of Police, Katihar, are also directed to ensure that the prosecution witnesses are produced in the court below 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, Katihar and the Superintendent of Police,
Katihar.

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(Sudhir Singh, J)

