

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37131 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -GARDANIBAGH District- PATNA

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1. Dilip Kumar, S/o Sri Brijnandan Ray, Resident of Mohalla-
Gardanibagh, Road No. 2, P.S.- Gardanibagh, District and Town- Patna.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Indra Mohan Kumar

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 302/34 of the Indian Penal Code.

It is alleged that the petitioner has solemnized his
marriage with the daughter of the informant but he had illicit
relation with his aunt and for the said reason, the petitioner always
used to assault the deceased and on 15.01.2016, the deceased was
killed by the petitioner along with his relatives.

Earlier the bail application of the petitioner was
rejected vide Annexure-1 to the present application, taking into
account that the petitioner is husband of the deceased. The onus is
on him to explain the cause of the death of the deceased.



A report was called for from the trial Court regarding the stage of the case. It has been reported that the petitioner has not been produced from the jail, hence the charge has not yet been framed.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with S. Tr. No. 494/2016, arising out of Gardanibagh P.S. Case No. 12/2016, pending in the court of learned Additional Sessions Judge-X, Patna.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of one year from the date of receipt of production of copy of this order.

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

(Sudhir Singh, J)

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