

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48331 of 2017

Arising Out of PS.Case No. -108 Year- 2017 Thana -SHERGHATI District- GAYA

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1. Byas Mandal Son of Srikant Mandal, resident of Village- Karma, P.S. Dobhi, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-11-2017 Heard the parties.

This application is for grant of regular bail in connection with Sherghati (Dobhi) P.S.Case no.108/17 arising out of S.Tr. No.57 of 2017/332 of 2017 for the offences punishable under Sections 302/201 of the Indian Penal Code.

Petitioner is the husband of the deceased and there is allegation that he has assaulted the deceased causing her death.

Submission of the learned counsel for the petitioner is that he is in custody for eight months and even materials available on record clearly shows that he has assaulted by *lathi* on her abdomen and due to that she died. The petitioner is in custody for such a long time.

Heard learned A.P.P. also.

Having heard both sides and from perusal of the record, it appears that status report was called for from the learned court below and it appears that on 31.10.2017 the charge has been



framed and the learned trial court has requested for 8-9 months time to conclude the trial. In such view of the matter, I am not inclined to grant bail to the petitioner, however, the learned trial court is directed to expedite the trial and try to conclude it within a period of eight months.

At the same time, Sr. S.P., Gaya is directed to ensure presence of the witnesses in the court on each and every date so that the trial may be concluded within the period as directed above.

The petitioner is also directed to co-operate in conclusion of the trial and if the trial is not concluded within the period as directed above, and there is no fault on the part of the petitioner or the other co-accused persons, the learned trial court shall release the petitioner on bail to his own satisfaction.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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