

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40014 of 2017

Arising Out of PS.Case No. -57 Year- 2015 Thana -DANDKHORA District- KATI HAR

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Prakash Chauhan @ Parth Chauhan S/o Sahdeo Chauhan resident of Village
- Nawada Chauhan Tola, P.S. DandKhora, District Katihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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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 seeks bail in a case instituted under
Sections 328 and 304(B)/34 of the Indian Penal Code.

It is alleged that the petitioner along with his family
members has killed the daughter of the informant due to non-
fulfillment of the demand of dowry.

Earlier the bail application of the petitioner was rejected
vide Annexure-1 to the present application, taking into account
that the petitioner was the husband of the deceased. The onus was
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 out of 13



prosecution witnesses, 7 prosecution witnesses have already been examined in this case and within a period of 9 to 12 months, the trial is likely to be concluded.

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. 256/2016, arising out of Dandkhora P.S. Case No. 57/2015, pending in the court of learned Sessions Judge, Katihar.

The Trial Court 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 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, Katihar and the Superintendent of Police, Katihar.

(Sudhir Singh, J)

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