

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3273 of 2017

Arising Out of PS.Case No. -75 Year- 2014 Thana -BUNIADGANJ District- GAYA

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Shyam Kumar, son of Late Baleshwar Prasad, resident of Village- Manpur Pehani Koiri Tola, P.S.- Buniyadgan, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prithivi Raj Singh, Advocate.

For the Opposite Party : Smt. Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 29-03-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 15.09.2014 in connection with Sessions Trial No. 60 of 2016, arising out of Buniyadganj P.S. Case No. 75 of 2014 for the offences instituted under Sections 304(B)/34 of the IPC.

It is alleged by the informant that his daughter namely, Jyoti Kumar, had been married with the son of the petitioner on 30.05.2014 and at the time of marriage, dowry and gifts had also been given according to his capacity. It is further alleged that Rs. 60,000/- had also been given for purchasing motorcycle one month earlier and despite of that, this petitioner and other members of her family were demanding two lacs more to establish



a shop and for that they were torturing to his daughter. On 10.08,2014, he got information on his mobile that his daughter has been murdered and members of her husband's family are setting fire on the dead body on third storey of the house to delete the evidence. Thereafter, he and other family members went there and informed the police. The police came and recovered half burnt body of his daughter and seized other articles which have been used for dead body of the informant's daughter.

The earlier bail application of the petitioner was rejected vide Cr. Misc. No. 43156 of 2015 with a direction to the court below to take all necessary steps to conclude the trial preferably within a period of one year from the date of receipt/production of copy of the order taking into the account that the petitioner is the husband of the deceased and case related to the dowry death.

A report was called for from the court below regarding the stage of the case. It has been reported that the charge has already been framed in the case and the trial will be concluded within a period of nine months.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 60 of 2016, arising out of Buniyadganj P.S. Case No. 75 of 2014, pending in the court of the learned A.D.J.



IXth, Gaya. 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 the order.

The District Magistrate, Gaya and the Superintendent of Police, Gaya are also directed to take all necessary steps to produce the prosecution witnesses 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, Gaya and the Superintendent of Police, Gaya.

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(Sudhir Singh, J)

