

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30968 of 2017

Arising Out of PS.Case No. -30 Year- 2013 Thana -MAHILA P.S. District- SARAN

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Daglash Kumar son of Madhusudan Prasad, resident of village –Nayee Basti, Husse Chapra, PS-Chapra Town, District-Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar & Ors.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar

For the Opposite Party/s : Dr. Ajeet Kumar
Mr. Tej Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-07-2017 This application is for grant of regular bail in connection with Mahila P.S. Case No. 30 of 2013, Trial No. 1969 of 2017 registered for the offence(s) under section(s) 304 (B), 498(A), 201, 36 (A) of the Indian Penal Code.

Allegation against the petitioner is of section 498A I.P.C. or committing cruelty to opposite party no. 3 and he is not ready to keep his wife.

Submission of the learned counsel for the petitioner is that earlier also a case under section 304B I.P.C. has been lodged but later on, it was detected that the opposite party (victim) has not died and further submission is that she is not ready to live with the petitioner.

On the other hand, learned counsel for the opposite party submits that there is a case of torture against the petitioner



and as such, he does not deserve bail and the Court below has also opposed the same in the last portion of the impugned order that there is an allegation of torture and assault against the petitioner.

Considering the aforesaid aspect of the matter, I think it proper that the trial be expedited, as such, the Trial court is directed to expedite the trial and conclude the same within a period of six months, if possible, regular trial be conducted and the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Saran at Chapra in connection with Mahila P.S. Case No. 30 of 2013, Trial No. 1969 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available on each date in court and on failure on his part to appear before the court below on any date without showing any genuine rhyme or reasons, his bail



bond shall be cancelled.

(Vinod Kumar Sinha, J)

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