

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49701 of 2017

Arising Out of PS.Case No. -25 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Meraj, Son of Md. Nejam, Resident of village- Gheghawa, P.S.-
Madhuban, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s Mr. Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03 22.11.2017 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and earlier
prayer for bail of the petitioner was rejected directing the trial court to
expedite the trial of the petitioner and try to conclude the same,
preferably, within six months.

However, trial court has reported that out of nine
prosecution witnesses, five prosecution witnesses have already been
examined and trial of the petitioner is pending for recording the
evidence of remaining four prosecution witnesses. Trial court has also
reported that steps to procure attendance of remaining prosecution
witnesses have already been taken.

Since it is serious case of section 304B of the IPC and burn
injuries are said to have been found on the person of the deceased,
again, I am not inclined to release the petitioner and hence, his prayer



for bail in connection with Session trial no. 857 of 2016 arising out of Madhuban P.S. Case no. 25/2015 pending in the court of Addl. Sessions Judge IX, East Champaran at Motihari stands rejected.

However, learned trial court is directed to conclude the trial of the petitioner within four months from the date of receipt/production of a copy of this order. It is made clear that if trial of the petitioner is not concluded within the above stated period of four months due to laches of the prosecution, the petitioner may renew his prayer for bail before the trial court itself.

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(Hemant Kumar Srivastava,J)

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