

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15361 of 2017

Arising Out of PS.Case No. -112 Year- 2015 Thana -TRIVENIGANJ District- SUPAUL

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Diwakar Yadav aged about 33 Years, Son of Jagdish Yadav, Resident of
Village- Machha, P.S.- Triveniganj, District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjit Jha

For the Opposite Party/s : Mr. Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-04-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 304(B), 498(A) and 328/34 of the Indian Penal Code.

Allegation against the petitioner is to have tortured
and murder the niece of the informant due to non-fulfillment of
the demand of dowry.

Earlier the bail application of the petitioner was
rejected vide Annexure-4 to the present application taking into
account that the petitioner is husband of the deceased. The onus is
upon him to explain the cause of death of the deceased. The case
relates to an offence under Section 304B of the Indian Penal
Code. The trial court was directed 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 this order.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.06.2015. He has been made accused due to mistake of fact. The fact is that the petitioner had committed suicide. There is no external injury on the body of the deceased.

A report was called for from the trial court regarding the stage of the case. It has been reported that the charges have already been framed on 14.02.2017.

Considering the nature of the allegation, I am not inclined to grant bail to the petitioner. The same is rejected in S.T. No. 25 of 2017, arising out of Tribaniganj P.S. Case No. 112 of 2015, pending in the court of learned Additional Sessions Judge-III, Supaul.

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 a copy of this order.

The District Magistrate, Supaul and the Superintendent of Police, Supaul 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, as indicated by the court below.

Let a copy of this order be communicated to the District
Magistrate, Supaul and the Superintendent of Police, Supaul.

(Sudhir Singh, J)

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