

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12820 of 2017

Arising Out of PS.Case No. -231 Year- 2013 Thana -PALIGANJ District- PATNA

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Uday Paswan, Son of Late Vidhichand Paswan, resident of Village-
Sikandarpur, Police Station- Paliganj, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Parashuram Singh, Advocate.

For the Opposite Party : Mr. Lakshmi Kant Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-04-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 25.04.2015
in connection with Paliganj P.S. Case No. 231 of 2013 for the
offences instituted under Sections 304(B) and 201/34 of the IPC.

It is alleged by the informant that his niece, namely,
Renu Devi, was solemnized with this petitioner on 06.08.2013 and
gift of Rs. 25,000/- and cash of Rs. 40,000/- was given for
ornaments. She has been tortured by her in-laws for demand of
dowry. She told her in-laws that her father could not fulfill the
demand of dowry because he is poor. On 05.08.2013 at about 9.00
P.M. the in-laws of Renu Devi killed her and threw her dead body
into a well.



The earlier bail application of the petitioner was rejected vide Cr. Misc. No. 40112 of 2015 dated 14.10.2015 taking into account that the petitioner is the husband of the deceased and onus is upon him to explain the cause of death of the deceased.

A report was called for from the court below regarding the stage of the case. It has been reported that one of the accused, namely, Mausim Devi, who has been granted anticipatory bail by this Court with a direction to surrender in the court below within a period of four weeks, has not surrendered as yet and for the said reason, the case is running for appearance of the said accused. It is further reported that after securing the appearance of other accused person and after framing of the charge, the trial may be concluded within a period of one year.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Paliganj P.S. Case No. 231 of 2013, corresponding o Sessions Trial No. 755 of 2016, pending in the court of the learned Additional Sessions Judge-VII, Danapur, Patna.

The court below is directed to take all necessary steps to expedite and conclude the trial preferably within a period of one year from the date of receipt/production of copy of the order. If necessary, the court below may separate the trial of the petitioner



and proceed with the trial.

The District Magistrate, Patna and the Senior Superintendent of Police, Patna are also directed to ensure that the prosecution witnesses are produced 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, Patna and the Senior Superintendent of Police, Patna.

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(Sudhir Singh, J)

