

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20890 of 2017

Arising Out of PS.Case No. -342 Year- 2015 Thana -KATIHAR District- KATIHAR

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1. Shrawan Kumar @ Shrawan Kumar Saha Son of Ramchandra Sah
Resident of Mohalla- Hawai Adda, P.S. - Sahayak, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-06-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Katihar Town (Sahayak)
P.S. Case No. 342 of 2015 corresponding to Sessions Trial No.
306 of 2015 instituted for the offence under Sections-376/ 306 of
the Indian Penal Code.

It is alleged in the written report that this petitioner
committed rape with the wife of the informant when he had gone
to pull the rickshaw and, on account of such act, committed by this
petitioner, the wife of the informant set herself ablaze and she died
in hospital during course of treatment. Earlier the prayer for bail of
the petitioner was rejected by a coordinate bench of this court vide
order dated 18-02-2016 passed in Cr. Misc. No. 54122 of 2016.

The status report of the case was called for from the
court below which has been received. In the report, the court
below has stated that two witnesses have already been examined



and the trial is likely to be concluded within six months.

In such circumstances, keeping in view that the trial of the petitioner is continuing, this court does not think it a fit case for grant of bail to the petitioner.

Accordingly, prayer for bail of the petitioner is rejected.

Learned counsel for the petitioner has submitted that petitioner is in custody since 16-12-2015.

In such circumstance, the court below is directed to make all efforts and expedite to conclude the trial of the petitioner as early as possible, preferably, within six months from the date of receipt/production of copy of this order by giving short adjournments, as mentioned in the report, submitted by the court below.

The petitioner is given liberty to renew his prayer for bail in the court below itself, if, the trial is not concluded within the above-noted period of six months.

In the event, the trial of the petitioner is not concluded within the period of nine months, the court below will give reason in the said order, mentioning the reasons for non-conclusion of trial of the petitioner within the above period.

(Sanjay Priya, J)

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