

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29002 of 2017

Arising Out of PS.Case No. -17 Year- 2016 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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Chintu Kumar Son of Late Bharat Mahto, Resident of Village- Viyabani,
Police Station- Deep Nagar, District- Nalanda.

..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Ganesh Sharma, Advocate.
For the Opposite Party : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
28.01.2016 in a case registered for the offence under Sections
304(B) and 328/34 of the IPC.

The prosecution story, in brief, is that the petitioner
alongwith other family members tortured and killed the daughter
of the informant due to non-fulfillment of demand of dowry.

Earlier the bail application of the petitioner was
rejected vide Cr. Misc. No. 25833 of 2016 dated 17.08.2016
taking into account that the petitioner being the husband of the



deceased and onus is upon him to explain 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 out of eight prosecution witnesses, three prosecution witnesses have already been examined and trial is expected to 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 connection with Sessions Trial No. 483 of 2016, arising out of Deepnagar P.S. Case No. 17 of 2016, pending in the court of learned Additional Sessions Judge-III, Nalanda at Biharsharif.

The court below 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 copy of this order.

The District Magistrate, Nalanda at Biharsharif and the Superintendent of Police, Nalanda at Biharsharif, are also directed to ensure that the prosecution witnesses are produced on the next 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, Nalanda at Biharsharif and the Superintendent



of Police, Nalanda at Bihar Sharif.

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(Sudhir Singh, J)

