

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52045 of 2017**

Arising Out of PS. Case No.-228 Year-2015 Thana- SIMARI District- Buxar

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Dipak Sah @ Deepak Sah @ Deepak Gupta , S/o Sri Ram Sah, R/o Village-  
Keshopur, P.S.- Simari (T.R.H.O.P.), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Sri Arvind Kumar Pradhan

For the Opposite Party/s : Sri Tapeswar Sharma

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

3      13-12-2017      Heard Sri Arvind Kumar Pradhan, learned counsel for the  
petitioner , Sri Tapeswar Sharma, learned Additional Public  
Prosecutor as well as Sri Parijat Saurav, learned counsel, who  
has voluntarily appeared on behalf of the informant.

This is second attempt for grant of bail on behalf of the  
petitioner in Simari (T.R.H.O.P.) P.S. Case No. 228 of 2015  
registered for the offence under Sections 498(A), 304(B), 201/  
34 of the Indian Penal Code, 1860. Earlier, by order dated  
13.12.2016 vide Cr. Misc. No. 43028 of 2016 the prayer for bail  
of the petitioner was rejected considering the fact that petitioner  
was the husband of the deceased and dead body in the case was  
disposed of without any intimation to the informant's side. In  
this case, by order dated 08.11.2017 a report was called for  
from the court below regarding the stage of the case , which has



been received and kept at flag 'A'. The report dated 25.11.2017 sent under the signature of Sri Arun Kumar Srivastava, Presiding Officer , F.T.C. -I, Buxar makes it clear that trial is going on and out of ten charge-sheet witnesses, three witnesses have already been examined.

Considering the fact that trial is continuing and witnesses are being examined, there is no reason to review my earlier order. However, considering the fact that petitioner is in custody since 21.06.2016 , while dismissing the prayer for bail it is desirable to observe that the learned trial court as well as the prosecution may take appropriate steps so that the case may come to its logical end without unnecessary delay.

**(Rakesh Kumar, J)**

praful/-

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