

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55246 of 2017

Arising Out of PS.Case No. -69 Year- 2016 Thana -DHAMDHAHA District- PURNIA

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1. Md. Shamim Akhtar @ Md. Shamim Son of Md. Taslim @ Taso , R/o
Village- Mogalia Purandaha , P.S.- Dhamdaha, District- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Dhamdaha P.S. Case No.
69 of 2016 instituted for the offence under Sections-304(B)/34 of
the Indian Penal Code.

Petitioner is husband of the deceased.

Earlier prayer for bail of the petitioner was rejected by
this court vide order dated 10-01-2017 passed in Cr. Misc. No.
51151 of 2016.

A report was called for from the court below in which,
it is mentioned that case is pending for supply of police paper and
even the case has not been committed to the court of sessions.

During course of hearing of this bail petition, certified
copy of the order dated 11-12-2017 has been produced on behalf
of the informant from which, it appears that charge has already
been framed in this case on 11-12-2017 against the petitioner.



It has been submitted on behalf of the petitioner that he is in custody since 11-04-2016.

In such circumstance, the court below is directed to expedite the trial of the petitioner and try to conclude the same as early as possible preferably, within nine months from the date of receipt of copy of this order by giving short adjournments in the case.

The court below will send letter to Superintendent of Police, Purnea in advance to produce the witnesses in court on the dates fixed in the case for evidence.

This court is not inclined to grant bail to the petitioner at this stage.

Accordingly, prayer for bail of the petitioner is rejected.

The petitioner is given liberty to renew prayer for bail in the court below itself, in the event the trial is not concluded within the period of nine months, which shall be disposed of by the court below in accordance with law and the court below will give reasons in the order for not disposing of the trial within the aforesaid period of nine months.

(Sanjay Priya, J)

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