

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61082 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -DEORIYA District- MUZAFFARPUR

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Md. Hussain Son of Md. Mowal @ Mowal Mian Resident of Mohalla-
Bhojpatti, P.S.- Paroo, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-01-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

This is the second round of litigation. Earlier, the prayer for bail was rejected vide order dated 23.12.2016 passed in Cr. Misc. No. 50546 of 2016. Petitioner is languishing in judicial custody since 29.05.2016 in connection with Sessions Trial No. 640 of 2016 arising out of Deoriya P.S. Case No. 40 of 2016 pending in the Court of learned 1st Additional Sessions Judge, Muzaffarpur registered for the offences punishable under Section 302 of the Indian Penal Code.

The prosecution case is that the petitioner was married to the daughter of the informant in the year 2012 and while he was



at his in-laws' house along with his deceased wife and three year old daughter, she was stabbed in the night, which is alleged to have been committed by the petitioner.

A report was called for regarding the stage of trial. Report has been received from the Court of the 14th Additional District and Sessions Judge, Muzaffarpur stating that out of nine witnesses, six have been examined and the rest are yet to be examined.

Considering the stage of trial, I am not inclined to grant the privilege of bail to the petitioner at this stage. This application is, accordingly, rejected.

However, if the trial is not concluded within three months, the petitioner is at liberty to renew his prayer for bail

(Nilu Agrawal, J.)

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