

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55171 of 2017

Arising Out of PS.Case No. -13 Year- 2015 Thana -EKCHARI District- BHAGALPUR

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Nakul Mandal, son of Chattu Mandal, resident of village - Ekchari, P.S.
Ekchari, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Indeshwari Prasad Mandal, Advocate.

For the Opposite Party : Mr. Md. Fahimuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
04.09.2015 in connection with Sessions Trial No. 218 of 2016,
arising out of Ekchari P.S. Case No. 13 of 2015 for the offence
registered under Sections 304(B)/34 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner killed the daughter of the
informant due to non-fulfillment of demand of additional dowry.

This is second attempt on behalf of the petitioner for
grant of bail.

Earlier bail application of the petitioner was rejected
vide Cr. Misc. No. 53550 of 2016 dated 22.12.2016 taking into



account that the petitioner is the husband of the deceased and onus in on him to explain the 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 nine prosecution witnesses, three prosecution witnesses have already been examined and within a period of six months the trial is expected to be concluded.

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. 218 of 2016, arising out of Ekchari P.S. Case No. 13 of 2015, pending in the court of learned A.D.J. IIIrd, Bhagalpur.

The court below is directed to take all necessary steps to conclude the trial within a period of six months from the date of receipt/production of copy of this order.

The District Magistrate, Bhagalpur and the Superintendent of Police, Bhagalpur are directed to ensure that the prosecution witnesses are produced on the date fixed by the court below so that the trial court be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Bhagalpur and the Superintendent of Police,



Bhagalpur.

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(Sudhir Singh, J)

