

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35279 of 2017

Arising Out of PS.Case No. -56 Year- 2014 Thana -KATORIA District- BANKA

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Prem Tanti Son of Late Jagarnath Tanti, R/o Village- Phulwariya, P.S.-
Katoria, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

05/ 17-01-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner, being the husband of the victim,
has renewed the prayer for bail in a case registered for the
offences punishable under Sections 498A and 304B of the Indian
Penal Code on the ground that the petitioner is languishing in
custody since 02.05.2015 and the liberty was given to the
petitioner vide order dated 16.05.2016 passed in Cr. Misc. No.
11872 of 2016 to renew the prayer for bail if the trial is not
concluded within a period of one year.

The accusation is of killing the daughter of the
informant for non-fulfillment of the dowry demands. It is also
alleged that previously also the petitioner used to assault the
victim.



The basic accusation is of torture for non-fulfillment of the dowry demand.

Though, learned counsel for the petitioner submits that there is no eye witness to the occurrence and in view of the liberty given vide earlier rejection order the prayer has been renewed.

It appears from report of the learned District & Sessions Judge, Banka transmitted to this Court vide letter No. 03 dated 08.01.2018 report that the trial of Sessions Trial No. 335 of 2015 arising out of Katoriya P.S. Case No. 56 of 2014 will be concluded in four months, if the prosecution and defence cooperate since except I.O. and doctor all the witnesses have already been examined.

In the circumstances, this Court is not inclined to interfere. Accordingly, the prayer for bail of the petitioner is again rejected. It is expected from the learned trial Court to conclude the trial within the time frame stipulated in the report. If the trial will not be concluded within the abovementioned time frame the petitioner will be at liberty to renew the prayer for bail.

(Dinesh Kumar Singh, J)

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