

IN THE HIGH COURT OF JUDICATURE AT PATNA**Criminal Miscellaneous No.21796 of 2017**

Arising Out of PS.Case No. -77 Year- 2014 Thana -BELAGANJ District- GAYA

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Mahesh Kumar, son of Sri Anil Kumar, Resident of Village- Pranpur,
Police Station- Belaganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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

ORAL ORDER

05/ 25-04-2018

Heard learned counsel for the petitioner and
the 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 304B and 498A of the Indian
Penal Code and Sections 3/4 of Dowry Prohibition Act.

The accusation is of killing the sister of the
informant within two years of marriage for non-fulfillment of
dowry demands.

Though, it is submitted by learned counsel
for the petitioner that the victim died due to accidental fire since
she fell from the roof of the house. It is further submitted that
petitioner is languishing in custody since 17.06.2014, moreover,
there is no likelihood of conclusion of trial in near future.



However, the medical opinion suggests that the victim was throttled to death.

In view of the report of Senior Superintendent of Police, Gaya dated 04.04.2018 and the report of learned Additional District & Sessions Judge-IX, Gaya dated 06.04.2018 which suggests that the prosecution evidence has been closed and the learned trial Court has suggested that if prosecution and defence cooperate the trial will be concluded within a period of one month.

Considering the advance stage of the trial, this Court is not inclined to revise the earlier order. Accordingly, the prayer for bail of the petitioner is rejected in connection with Sessions Trial No. 37 of 2016 arising out of Belaganj P.S. Case No. 77 of 2014 pending in the Court of learned IXth Additional Sessions Judge, Gaya.

However, it is expected from the learned trial Court to conclude the trial expeditiously preferably within the time frame transmitted to this Court.

(Dinesh Kumar Singh, J)

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