

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26153 of 2018

Arising Out of PS. Case No.-115 Year-2017 Thana- BANGAON District- Saharsa

Vikash Kumar, son of Radha Krishna Sharma, Resident of village - Balha,
P.O.- Gadhia, P.S.- Bangaon, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Md. Ashlam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 03-05-2018 Heard Sri Shiv Shankar Sharma, learned counsel for
the petitioner and Mr. Md. Ashlam Ansari, learned Additional
Public Prosecutor.

The sole petitioner, husband of the deceased and in
custody since 15.10.2017 has prayed for grant of bail in
connection with Bangaon P.S. Case No. 115 of 2017 , registered
for the offences under Sections 304(B), 302, 201, 34 of the
Indian Penal Code, 1860.

Learned counsel for the petitioner submits that it is
true that petitioner is husband of the deceased and his wife died
in his house and accusation was made that she died due to
throttling and dead body was disposed of without informing the
informant and petitioner is in custody, without any fair trial,
since 15.10.2017. It has also been argued that petitioner is in



custody since 15.10.2017 and recently on 3.4.2018 case has been committed to the court of Sessions. According to learned counsel for the petitioner without any trial petitioner may not be detained further. On this very ground a prayer has been made for granting bail.

Learned Additional Public Prosecutor has opposed the prayer for bail, however, since there is specific case against the petitioner, on merit, there is no reason to entertain the prayer for bail, however, considering the fact that petitioner is in custody since 15.10.2017 and case has already been committed to the court of sessions, without passing any favourable order, the petition can be disposed of with observation that the learned court below may take appropriate steps, so that, the case may come to its logical end without unnecessary delay.

It goes without saying that petitioner shall also render full assistance to the court below for early disposal of the case.

(Rakesh Kumar, J)

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