

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55206 of 2017**

Arising Out of PS.Case No. -285 Year- 2016 Thana -SUPAUL District- SUPAUL

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Anil Sharma, S/o Dayanand Sharma @ Dayanand Sutihar, R/o Kajha, P.S.-  
Supaul, District- Supaul.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amar Nath Yadav, Advocate.

For the Opposite Party/s : Mr. Umeshnand Pandit, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      10-01-2018

Heard learned counsel for the petitioner and the State.

Prayer for bail of the petitioner was earlier rejected by  
this Court vide order dated 28.3.2017 passed in Cr. Misc. 6035 of  
2017. The petitioner is husband of the deceased.

It has been submitted on behalf of the petitioner that he  
is in custody since 16.09.2016.

A report was called for from the learned Chief Judicial  
Magistrate, Supaul, in connection with Supaul P.S. Case No. 285  
of 2016 which has been received. From the report it appears that  
the case is pending for appearance of the accused persons.

In the written report there is allegation against the  
petitioner that he along with other accused persons has murdered  
the sister of the informant by administering poison and has burnt



the dead body just behind their house, in order to screen the evidence. The informant went to the place of occurrence on getting information.

Case diary has been received.

The learned A.P.P. has after perusing the case diary submitted that no post mortem of the dead body was performed as the dead body was burnt. He has further submitted that there is no statement of the witnesses that the family members of the deceased were informed about the occurrence and they were present at the time of burning of the dead body of the deceased. It is admitted position that death of the deceased has occurred in her *sasural* within four years of her marriage, and after death, her dead body was hurriedly burnt without informing the informant in order to suppress evidence.

Therefore, this Court is not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner stands rejected.

The trial court is directed to split up the case and commit the same to the Court of Sessions within a period of 15 days from the date of receipt/production of copy of this order and, thereafter, the District and Sessions Judge, Supaul, will ensure that the trial of this petitioner is taken up expeditiously



and dispose off within a period of nine months from the date of commitment of the case by giving short adjournment.

The trial court is directed to give information to the Superintendent of Police concerned about fixing the date of evidence of the witnesses in advance and Superintendent of Police concerned will produce the witnesses on the date so fixed by the trial court.

The learned A.P.P. will also cooperate in disposing of the trial within a period of nine months from the date of commitment of the case.

The petitioner is given liberty to renew his prayer for bail in the court below in the event the trial is not concluded within nine months and the court below in that event will give reason in the bail order for not concluding the trial within aforesaid period.

**(Sanjay Priya, J)**

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