

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30552 of 2018

Arising Out of PS.Case No. -123 Year- 2015 Thana -SAMASTIPUR District- SAMASTIPUR

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1. Pappu Paswan S/o Late Suresh Paswan, R/o Vill.- Mohalla- Kashipur,
P.S.- Samastipur Town, District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-09-2018

Heard both sides.

The petitioner seeks bail in S.Tr. No.732/2016/42 of 2018 corresponding to Samastipur Town P.S. Case No.123/2015 registered under Section 304B/34 of the Indian Penal Code and Section 3/4 of D.P. Act.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 20.06.2017 passed in Cr. Misc. No.21076 of 2017. Petitioner is husband. There is no material to show that the petitioner killed his wife. She had no issue and that is why she was under depression and she committed suicide. The petitioner is in jail since 01.09.2016.

A report was also called for and the F.T.C.-1st, Samastipur reported that four witnesses out of nine charge sheeted



witnesses have already been examined and the trial is likely to be concluded within three months.

Taking into consideration the aforesaid fact and the nature of allegation made against the petitioner and the fact that the petitioner is husband, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected. Since the petitioner is in custody since 01.09.2016, the learned Trial Court is directed to hold the trial on day to day basis and conclude the same within three months from the date of receipt of this order.

The Superintendent of Police, Samastipur is also directed to ensure the attendance of the prosecution witnesses in the trial court in connection with S.Tr. No.732/2016/42 of 2018 corresponding to Samastipur Town P.S. Case No.123/2015 so that the trial must be concluded within 3 months.

Let a copy of this order be sent to the Trial court as well as Superintendent of Police, Samastipur for information and needful.

If the trial is not concluded within three months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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