

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42148 of 2018

=====

BHARAT KUMAR YADAV @ BHARAT YADAV, Son of Late Bhudhdeo Yadav, resident of Village - Azamnagar, P.S. - Azamnagar, District - Katihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Indu Bhushan, Advocate.

For the Opposite Party : Smt. Pronati Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-08-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 14.02.2016 in connection with Sessions Case No. 237 of 2016, arising out of Azamnagar P.S. Case No. 41 of 2016 for the offence registered under Section 302 of the IPC.

The prosecution story, in brief, is that in the night of 13.02.2016, the petitioner intimated the informant on Mobile that his sister is serious and instantly switched off the Mobile. Again, the informant asked the petitioner, upon which, he stated that his sister had died. It is also alleged that the petitioner was not well behaved with his wife and he also sold out some land in favour of another lady and the petitioner had illicit relation with another lady.



This is third attempt on behalf of the petitioner for grant of bail.

Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 26633 of 2016 dated 29.08.2016 and Cr. Misc. No. 33408 of 2017 dated 02.08.2017 taking into account that the petitioner is the husband of the deceased and strangulation mark was found on the neck of the deceased.

A report was called for from the court below regarding the stage of the case. It has been reported that out of 8 witnesses, 5 witnesses have already been examined and within a period of five months the trial is expected to be concluded.

Considering the nature of accusation and the stage of case, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Trial No. 237 of 2016 (arising out of Azamnagar P.S. Case No. 41 of 2016), pending in the court of learned Additional Sessions Judge-IIInd, Katihar.

The court below is directed to take all necessary steps to conclude the trial within a period of five months from the date of receipt/production of copy of this order.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

