

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47625 of 2018

Arising Out of PS.Case No. -17 Year- 2016 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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Chintu Kumar, son of Late Bharat Mahto, resident of Village- Viyabani,
P.S. Deep Nagar, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manohar Prasad Singh, Advocate.

For the Opposite Party : Mr. Chaubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
28.01.2016 in connection with Sessions Trial No. 483 of 2016,
arising out of Deep Nagar P.S. Case No. 17/16 for the offence
registered under Sections 304(B) and 328/34 of the IPC.

The prosecution story, in brief, is that the petitioner
alongwith other family members tortured and killed the daughter
of the informant due to non-fulfilment of demand of dowry.

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. 25833 of 2016 dated 17.08.2016 and Cr. Misc. No. 29002 of 2017 dated 20.09.2017 taking into account that the petitioner is the husband of the deceased and onus is on him to explain the cause of death 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 08 prosecution witnesses, 07 prosecution witnesses have already been produced and within a period of six months the trial is expected to be concluded.

Considering the 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. 483/2016, arising out of Deep Nagar P.S. Case No. 17/16, pending in the court of learned 3rd Additional District and Sessions Judge, Nalanda at Bihar Sharif.

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

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(Sudhir Singh, J)

