

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10297 of 2019

Arising Out of PS. Case No.-90 Year-2016 Thana- BARARI District- Katihar

RAJENDRA SHARMA @ RAJAN SHARMA, aged about 41 years (Male),
Son of Late Kutha Newi Sharma, resident of Village- Bakiya-Bishanpur,p.s-
Barari, Dist-Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pawan Kumar Singh, Advocate.
For the Opposite Party : Mr.Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
31.08.2018 in a case for the offence registered under Sections
302 and 201 of the IPC.

The prosecution story, in brief, is that the sister of
the informant was married with Rajendra Sharma (petitioner)
about 15 years ago and from their wedlock, one male child was
born. He got information from the villagers that this petitioner
brutally assaulted his sister as a result of which she died. He
also came to know that after death, her dead body was either
concealed or incriminated. The informant searched her dead
body but could not succeed.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no eye witness to the alleged occurrence. There is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. He is the husband of the deceased. The child of the petitioner has supported the prosecution case which is evident from paragraph no. 6 of the case diary.

Considering the same, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Trial Case No. 428 of 2018, arising out of Barari P.S. Case No. 90 of 2016, pending in the court of learned Additional District & Sessions Judge-VI, Katihari.

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

The District Magistrate, Katihar and the



Superintendent of Police, Katihar, are also directed to ensure that the prosecution witnesses are produced in the court below on the date fixed by the court below so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Katihar and the Superintendent of Police, Katihar.

(Sudhir Singh, J)

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