

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70400 of 2018

Arising Out of PS. Case No.-444 Year-2013 Thana- KRITYANAND NAGAR District-
Purnia

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Md. Mubarak Hussain @ Md. Mubarak Son of Abdul Hakim, Resident of
Village- Bansar Naya Tola P.S.- K. Nagar Sri Nagar District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-07-2019 Heard learned counsel for the parties.

The petitioner being the husband of the victim has renewed his prayer for bail in a case registered for the offences punishable under Sections 304B and 498A of the IPC.

The accusation is of killing the daughter of the informant for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that in the subsequent statement, the informant has stated that the marriage was performed 8 to 9 years prior to the occurrence. Hence, as per own admission of the informant, the case does not come within the purview of Section 304B of the IPC. The victim was suffering from some pregnancy complications for which medical assistance was provided to her.

Earlier report of learned Sessions Judge dated 22nd July,



2017 suggests that the prosecution evidence was closed and the case was posted for recording the statement of the accused under Section 313 of the Cr.P.C. but thereafter additional charge was framed under Section 302/34 of the IP.C. but neither the prosecution nor the defence chose to adduce any evidence, hence the trial is likely to be concluded within a period of one month.

The latest report dated 9.7.2019 of the learned 4th Additional Sessions Judge, Purnea who is in seisin with the trial, reflects that the matter is posted for argument and the trial is likely to be concluded by 12.8.2019.

In the circumstances, this Court is not inclined to revise the earlier order. This application is, accordingly, dismissed.

However, it is expected from the learned trial court to adhere to the time schedule, regarding conclusion of trial, transmitted to this Court.

Let a copy of this order be transmitted to the learned 4th Additional Sessions Judge, Purnea.

(Dinesh Kumar Singh, J)

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