

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32614 of 2019

Arising Out of PS. Case No.-16 Year-2015 Thana- INDUSTRIAL District- Bhagalpur

PANKAJ KUMAR Son of Upendra Prasad Sah Resident of Village - Indira Nagar, Jaruadih, P.S.- Town, District- Dumka (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anita Kumari Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-07-2019 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in Industrial Area P.S. Case No. 16/2015, instituted for offence under Section(s) 326, 307, 120(B) and 34 of the Indian Penal Code. Later on Section 304B of the Indian Penal Code along with Section 3/4 of D.P. Act were also added

Learned counsel for the petitioner has submitted that petitioner is in custody since 04.03.2015. It has been submitted that petitioner has a five year old child, who is living with his grand mother. But the grand mother is not in condition to take proper care of her grandson. Therefore, she has made prayer for release of petitioner.

Written report has been filed by wife of petitioner levelling allegation that petitioner along with his mother used to torture her for non-fulfillment of demand of money for opening a garage. It is further alleged that on the date of occurrence petitioner



and his mother sprinkled kerosene oil upon the informant and lit fire on her body. The victim subsequently died.

Report from the court below regarding present stage of trial has been received, from which it appears that all the witnesses have been examined. A petition has been filed under Section 311 of the Cr.P.C. to recall the doctor who had prepared the death certificate.

In such circumstances, this Court finds that trial has sufficiently progressed.

Considering the fact that there is direct allegation against this petitioner, this Court is not inclined to grant bail to petitioner at this stage. Accordingly, prayer for bail of petitioner is rejected.

The trial court is directed to conclude the trial within a period of six months from the date of receipt/production of copy of this order by fixing the case either on day to day basis or by giving short adjournment.

The District & Sessions Judge, Bhagalpur is directed to monitor the trial of this case and send compliance report.

(Sanjay Priya, J)

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