

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35790 of 2019

Arising Out of PS. Case No.-60 Year-2017 Thana- KAUWAKOL District- Nawada

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Ramphal Yadav Son of Sri Bandhu Yadav Resident of Village - Bhorumbagh,
P.S.- Kawakol, Distt - Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan (App 156)

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 28-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 27.05.2017 has
filed the instant application for grant of bail in connection with
Kawakole P.S. Case as No. 60 of 2017 (S.Tr. No. 613 of 2017)
registered for the offence punishable under sections 498A, 304B
and 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner
that the petitioner happens to be the husband of the deceased. It
is further submitted that even in course of investigation it has
come that allegations were against the family members and not
against this petitioner. However, it is fairly submitted that in
course of trial, five prosecution witnesses out of total 8 charge
sheet witnesses have been examined. It appears that the Doctor,
the Investigating Officer and one another police official have



not yet been examined. It is further submitted that the petitioner is in custody since 27.05.2017 and thus he be enlarged on bail.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the petitioner happens to be the husband in a case under section 304B of the Indian Penal Code and that five prosecution witnesses have already been examined, the Court is not inclined to grant bail to the petitioner for the present. The prayer for bail of the petitioner is rejected.

The court below is directed to conclude the trial within a period of six months and in case the official witnesses i.e. doctor, Investigating Officer, etc. do not turn up, the concerned Superintendent of Police will ensure their appearance in course of trial.

The application is disposed off.

(Partha Sarthy, J)

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