

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54294 of 2018

Arising Out of PS. Case No.-25 Year-2016 Thana- FALKA District- Katihar

Md. Sabir S/o Late Sadique, R/o Village- Morsanda, P.S.- Falka, Distt-
Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 17-04-2019 Heard both sides.

The petitioner seeks bail in Falka P.S. Case No.25 of 2016 corresponding to Sessions Trial No.160 of 2016 registered under Section 302/34 of the Indian Penal Code.

The learned counsel for the petitioner submits that prayer for bail of the petitioner was twice rejected by this Court vide order passed in Cr. Misc. No.43627 of 2016 and Cr. Misc. No.37328 of 2017 with a direction to the trial court to conclude the trial but the trial has not yet been concluded. It is further submitted that petitioner is 70 years old man and he is rotting in jail since August, 2016.

A report was called for from the learned Additional Sessions Judge as well as Superintendent of Police, Katihar about the stage of trial and the reasons for delay in disposal of



the trial. The reports are received. Reports say that on 18.12.2018, the prosecution evidence was closed and the statement of the accused persons were recorded. The Sessions trial is posted for recording the defence evidence. The case is of honour killing. The deceased was called to the house of the petitioner and the dead body of the deceased was found in front of the house of the petitioner. It has come that the deceased had love affairs with the daughter of the petitioner.

Taking into consideration the fact that now the Sessions trial is at fag end and is pending for defence evidence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected. The trial court is directed to dispose of the Sessions trial without giving unnecessary adjournment to the defence since the petitioner is in custody for about 2 ½ years preferably within four months.

(Prabhat Kumar Jha, J)

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