

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42979 of 2019**

Arising Out of PS. Case No.-23 Year-2017 Thana- DARPA District- East
Champaran

- =====
1. PUNDEO RAI @ PUNYADEO YADAV @ PUNYADEO RAI Son of Late Jalim Rai Resident of Village- Bathnahiya, P.S.- Darpa, District- East Champaran.
 2. Bhola Yadav Son of Pundeo Rai @ Pundeo Yadav Resident of Village- Bathnahiya, P.S.- Darpa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.
For the Opposite Party: Mr. Shailendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, who are in custody since 07.11.2017 have renewed their prayer for bail in connection with Sessions Trial No. 561 of 2018 arising out of Darpa P.S. Case No. 23 of 2017 for the offences alleged under Sections 304B/34 of the Indian Penal Code having earlier been rejected by this Court by order dated 04.04.2018 in Cr. Misc. No. 19415 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be father and brother respectively of the husband of the deceased. The petitioners were living separately and had no concern with day



to day matters with the deceased and her husband. It is improbable that the victim could have made a statement considering that she had suffered 99% burn injury or that her thumb impression could have been obtained. The petitioners claim clean antecedents.

4. Pursuant to order dated 11.07.2019, a report dated 17.07.2019 has been received from the 15th Additional Sessions Judge, East Champaran, Motihari, *inter alia*, stating that four witnesses have already been examined and further process has been issued for attendance of official prosecution witnesses. It has further been stated that the husband of the deceased is in custody since 07.11.2017.

5. Having regard to the stage of the trial, this Court is not inclined to grant bail to the petitioners. It is expected that the trial would be concluded expeditiously and without undue delay, having regard to the right of speedy trial. The petition stands dismissed.

(Vikash Jain, J)

Ibrar//-

U		T	
---	--	---	--

