

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68308 of 2019

Arising Out of PS. Case No.-188 Year-2017 Thana- LALGANJ District- Vaishali

SATISH THAKUR @ SATISH KUMAR THAKUR S/O Devendra Thakur
R/O village- Lakhansarai Tejsingh, P.S.- Lalganj, District- Vaishali

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate

Mr. Vikramaditya Singh, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 18-12-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in this case is seeking regular bail in S.Tr.
No. 531 of 2018 arising out of Lalganj P.S. Case No. 188 of 2017
registered for the offences punishable under Sections 304B/34 of the
Indian Penal Code.

The report now made available to this Court by the
learned trial court vide letter no. 229/19 dated 9th December, 2019
makes it clear that despite efforts taken by the trial court to get
presence of the prosecution witnesses including four official
witnesses for which summons, bailable warrants and non-bailable
warrants have been issued, no heed has been paid to the efforts being
taken by the trial court and due to non-execution of the warrants the
trial has not progressed so far.

The police authorities who are responsible to execute the
warrants of arrest are perhaps sitting idle and are not concerned with



their duties to produce the witnesses particularly when the court is looking for them by issuing non-bailable warrants. Such inaction on the part of the Police authorities require immediate attention and stern action is required to be taken in such matters where the trial has been delayed due to inaction on the part of the police authorities.

In this case an affidavit has been filed today which has been sworn by the S.D.P.O., Mahua.

Taking note of the averments made therein with an undertaking that the witnesses will be produced on the next date fixed in the matter and considering that the petitioner is the husband and the allegation against him is that of causing death of his wife for non-fulfillment of dowry, at this stage, this Court is not inclined to grant him regular bail.

Let the trial court proceed with the matter and conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order.

The S.D.P.O. who has filed the affidavit will ensure production of witnesses and execution of warrants of arrest issued by the court below.

If the trial is not concluded within the aforesaid period, the petitioner may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

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