

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8311 of 2020

Arising Out of PS. Case No.-102 Year-2017 Thana- TEKARI District- Gaya

=====

BHOLA MISHRA @ DAMDAM @ DAMDAM MISHRA Son of Sri Nakul
Mishra Resident of Village - Bhaismara, P.S.- Tekari, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manish Kumar No. 2
For the State : Mr. N.N. Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-08-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
304B, 201, 120(B) of the Indian Penal Code and ¾ of Dowry
Prohibition Act.

Allegation against the petitioner is of committing torture and
caused death of the victim due to non-fulfillment of demand of
dowry.

Earlier prayer for bail of the petitioner was rejected vide
Annexure-1 to the present application taking into account that the
petitioner is husband of the deceased and the case relates to dowry
death.



A report was called for from the court below regarding the stage of the case and the same has been received. It has been reported that the charge has been framed on 07-11-2019 and process has been issued upon the prosecution witnesses seeking their appearance in the case but till date, not a single prosecution witness has appeared before the trial court. The petitioner is in custody since 11-06-2018.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Takari P.S. Case No. 102 of 2017 is rejected.

The learned trial court is directed to take all necessary steps to conclude the trial preferably, within a period of six months from the date of receipt/production of copy of the order. The District Magistrate and the Sr. Superintendent of Police, Gaya are directed to ensure the production of prosecution witnesses on the date fixed by the trial court, so that the trial could be concluded within the stipulated period of six months.

Let copies of this order be communicated to the District Magistrate and the Sr. Superintendent of Police, Gaya for needful.

(Sudhir Singh, J)

A.K.V.//-

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

