

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16172 of 2020

Arising Out of PS. Case No.-194 Year-2018 Thana- BHAWANIPUR District- Purnia

NIWASH KUMAR @ NIWAS KUMAR Son of Hira Mandal Resident of
Village - Madhawapur, P.S.- Bhawanipur (Balua O.P.), District - Purnea
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar 1

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-09-2020 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 Bhawanipur (Balua O.P.)
P.S. case No.194 of 2018 registered for the offence under
Sections 304(B) of the Indian Penal Code, pending in the court
of S.D.J.M., Purnea.

The earlier bail application of the petitioner was
rejected vide Annexure 1 to the present application taking into
account that the petitioner is the husband of the deceased and



the onus is on him to explain the cause of death of the deceased.

A report was called for from the court below regarding the stage of the case. It has been reported that the other accused persons, who are on bail, have not received the police papers in compliance of Section 207 of Cr.P.C. Hence, the case could not be committed to the Court of Sessions.

Considering the nature of allegations, I am not inclined to grant bail to the petitioner. The same is rejected.

The court below is directed to take all necessary steps to expedite the case and in case the other co-accused persons do not co-operate, then the case of the petitioner may be separated and committed to the court of Sessions, so that the trial could be concluded expeditiously. Once the case is committed to the court of Sessions, the Sessions Judge shall take necessary steps to conclude the trial preferably within a period of nine months from the date of receipt of the case in the court of Sessions.

(Sudhir Singh, J)

Narendra/-

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

