

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21689 of 2020**

Arising Out of PS. Case No.-423 Year-2018 Thana- KATIHAR District- Katihar

SHIVKESH KUMAR @ BANTI Son of Nand Kishore Das Resident of
Mohalla - Jugat Bhawan Durgasthan, P.S.- Katihar Town (Nagar), District -
Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanchay Srivastava

For the Opposite Party/s : Mr. C. Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

4 07-12-2020 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 Katihar P.S. Case No. 423
of 2018 instituted for the offences under Sections 304B read
with section 34 of the Indian Penal Code.

The earlier bail application 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
onus is on him to explain the cause of death of the deceased.



A report was called for from the Trial Court. It has been reported that out of eight prosecution witnesses, five have already been examined and the remaining prosecution witnesses i.e. the informant, the doctor and the I.O. are only to be examined in the present case.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take all necessary steps to conclude the trial within a period of nine months preferably on day to day basis from the date of receipt/production of a copy of this order.

The District Magistrate, Katihar and the Superintendent of Police, Katihar are also directed to take necessary steps to produce the remaining witnesses on the date fixed in the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Katihar and the Superintendent of Police, Katihar.

(Sudhir Singh, J)

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