

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24513 of 2020

Arising Out of PS. Case No.-93 Year-2003 Thana- PALIGANJ District- Patna

KABINDAR YADAV @ KAVINDRA YADAV, S/o Late Bhagwat Yadav, R/o village- Kodara, Daulat Bigha, P.S.- Paliganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Priyedarshi

For the Opposite Party/s : Mr.Ashok Kr. Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Section 304 (B)/34 and 498 A of the Indian Penal Code.

The report was called for vide order dated 22.09.2020 and the same has been received from the court of learned Additional District and Sessions Judge-7th, Danapur regarding the stage of trial in Sessions Trial No. 1115 of 2019 arising out of Paliganj P.S. Case No. 93 of 2003, which is kept at **Flag 'A'**. The report states that due to Pandemic of Covid-19, the trial of Sessions Trial cases is not being done since April, 2020. Six witnesses have been examined in this case only doctor and Investigating Officer has not been examined. The trial of the instant case will be concluded as early as possible after commencement of normal function of the court.

Allegation against the petitioner is of killing the victim



due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is in jail custody since 11.10.2019 and has no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Sessions Trial No. 1115 of 2019 arising out of Paliganj P.S. Case No. 93/2020 pending in the Court of learned Additional Sessions Judge-VII, Danapur, Patna.

The trial court is directed to conclude the trial as expeditiously as possible preferably within a period of nine months from today and both the parties are directed to extend their full cooperation in early conclusion of the trial. If the trial is not concluded within the stipulated period, the petitioner would be at liberty to renew his prayer for bail.

Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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