

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29086 of 2020

Arising Out of PS. Case No.-512 Year-2019 Thana- PURNEA SADAR District- Purnia

Md. Muzaffar, S/o Late Md. Hari, Resident of Village-Mathaur, P.S.-Kasba,
District-Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan, Advocate

For the Opposite Party/s : Ms.Veena Rani, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 15-12-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

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

The petitioner seeks bail in connection with Purnea Sadar P.S. Case No.512 of 2019, S.Tr. No.58 of 2020, registered for the offence punishable under Sections 302, 201 and 120B of the Indian Penal Code, which is pending in the court of the learned Sessions Judge, Purnea.



The informant has alleged that her niece (first wife of the petitioner) was married 14 years back with the petitioner. They were separate for the last four years and just prior to the killing, she was taken away by the petitioner to live with him on the pretext that he wanted to live with her in Delhi.

Petitioner's counsel submits that it is a case of false implication. In fact, the petitioner was the victim as the deceased (first wife) was not having a good relationship with him. The petitioner has also taken care of her illness and arranged for the treatment of the deceased. The investigation has also not revealed any basis for even doubting the petitioner's involvement in the instant case.

Case diary had earlier been called for. Referring to the same, especially paragraphs 59 and 61 thereof, learned APP has submitted that upon his arrest, the petitioner has confessed to the killing and his bloodstained shirt has also been recovered upon his statement. The petitioner is in custody since 10.10.2019.

Considering the rival submissions, this Court, for the present, is not inclined to allow the petitioner's prayer for bail. The trial court should take all possible steps to expedite the trial without any unnecessary adjournment/delay.



The application for the present stands rejected.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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