

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25290 of 2020**

Arising Out of PS. Case No.-111 Year-2020 Thana- SAHAYAK NAGAR District- Katihar  
=====

AMIT KUMAR JHA S/o- Rakesh Kumar Jha R/o - Officers Colony, P.S.-  
Sahayak, District- Katihar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

**Appearance :**

|                          |   |                             |
|--------------------------|---|-----------------------------|
| For the Petitioner/s     | : | Mr. Amish Kumar             |
|                          |   | Mr. Shankar Kumar Choudhary |
| For the Opposite Party/s | : | Mr. Kalyan Shankar          |

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

4    21-12-2020                      Heard Mr. Amish Kumar, learned counsel for the  
  
petitioner and Mr. Kalyan Shankar, learned APP for the  
  
State.

The petitioner seeks bail in connection with Nagar  
(Sahayak) P.S. Case No. 111 of 2020 instituted for the  
offence under Section 304 (B) of the Indian Penal Code.

On 23.11.2020, a report had been called for from  
the court below about the stage of the case. The report  
dated 10.12.2020 is on record. It only indicates that  
summons have been issued to the witnesses for their  
appearance before the court and the next date fixed is  
18.12.2020.



While sending the report, the learned Trial Court did not bother to inform this Court about the date of framing of charge nor has he stated as to what time is likely to be consumed in concluding the trial. A general statement has been made in the report. The Trial Judge is hereby cautioned that this is not the manner in which report about the stage of the case is to be sent to the High Court. The report must be self explanatory.

Learned counsel for the petitioner has submitted that the petitioner is the husband of the deceased.

While canvassing for bail during the trial, he has further submitted that the deceased was married to another person with whom she obtained divorced only recently. The petitioner married the deceased after developing love relationship with her but for some reason or the other, the deceased committed suicide.

Learned counsel for the petitioner has also drawn the attention of this Court to the fact that the deceased was mentally unstable and for that she had been undergoing treatment.



However, regard being had to the fact that the petitioner is the husband of the deceased, I am not inclined to grant bail to the petitioner for the present.

The prayer for bail is rejected.

However, taking into account the fact that petitioner is in custody since 07.02.2020, this Court directs that in case there is no substantial progress in trial within a period of six months from today, the petitioner would be at liberty to approach the Trial Court for grant of bail and in that event, the Trial Court would be required to indicate the reasons for the tardy progress of the trial and such ground shall be taken into consideration while disposing of the bail petition of the petitioner.

The petition stands disposed of with the aforesaid observation.

**(Ashutosh Kumar, J)**

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