

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33535 of 2020

Arising Out of PS. Case No.-88 Year-2019 Thana- PIYAR District- Muzaffarpur

Md. Shahid, aged about 40 years, male, son of Md. Subhan @ Nathuni,
resident of village - Gobindpur Chhapra, P.S. - Pear, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 16-12-2020 Heard Mr. Nachiketa Jha, learned Advocate

for the petitioner and Mr. Akshay Lal Pandit, learned

APP for the State.

The petitioner seeks bail in connection with

Sessions Trial No. 568 of 2019 arising out of Pear

(Piar) P.S. Case No. 88 of 2019, dated 10.05.2019,

instituted for the offences under Sections 304B and

34 of the Indian Penal Code.



Mr. Jha, learned Advocate for the petitioner, has submitted that the petitioner is in custody since 13.05.2019 and in the trial, five witnesses, up-till-now, have been examined and none of them have supported the prosecution version.

It has been submitted on behalf of the petitioner that his marriage with the deceased took place about eight years ago and three children also are born out of the wedlock. Since the deceased died and that resulted in snapping of the relationship between the informant and the petitioner's family, he and other persons of his family have been made accused in a huff. However, after realizing their folly, it has been urged, the witnesses did not support the prosecution version and came out with true facts. It has further been submitted that the last of the witnesses was examined in the month of February, 2020.

However, regard being had to the fact that the petitioner is the husband of the deceased, I am



not inclined to grant bail to him for the present.

The prayer for grant of bail of the petitioner is, accordingly, rejected.

However, the Trial Court is directed to expedite and conclude the trial within a period of three months from the date of receipt/production of a copy of this order as only the Investigating Officer is left to be examined in this case.

In case, the trial is not concluded within the aforesaid period, the petitioner would be at liberty to approach the Trial Court for grant of bail and in that event, the Trial Court would be under an obligation to record reasons for not concluding the trial within the stipulated time set up by this Court and shall take that ground into account in disposing of the bail application.

With the aforesaid observation/direction, the application stands disposed off.

Praveen-II/-

(Ashutosh Kumar, J)

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