

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73027 of 2019

Arising Out of PS. Case No.-32 Year-2017 Thana- KARJA District- Muzaffarpur

Raj Kishore Rai @ Raj Kishore Kumar, (male), aged about 32 years, Son of Mahendra Rai @ Mahindra Rai, Resident of Village - Kandhkarja, P.S.- Karja, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Advocate Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Dr. Mrityunjaya Kr. Gautam, APP
For the Informant	:	Dr. Alok Kumar Alok, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 10-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Ansul, learned counsel for the petitioner; Dr. Mritunjay Kumar Gautam, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State and Dr. Alok Kumar Alok, learned counsel for the informant, who has *suo motu* appeared.

3. This is the second attempt for bail as earlier such prayer was rejected on 08.10.2018 in Cr. Misc. No.54495 of 2018.

4. The petitioner is in custody in connection with Karja P.S. Case No.32 of 2017 dated 06.03.2017 instituted under



Sections 302/34 of the Indian Penal Code.

5. The allegation against the petitioner is that he had killed his wife by inflicting injuries from a sharp edged weapon.

6. Learned counsel for the petitioner submitted that the allegation is false as he has not killed his wife and the incident had taken place after eight years of marriage. Learned counsel submitted that further allegation of demand of dowry is also false. It was submitted that the petitioner is in custody since 07.03.2017, and the prosecution has still not examined all its witnesses.

7. Learned APP submitted that five injuries have been found on the body of the deceased corroborating the allegation that the petitioner had caused such injuries using sharp edged weapon.

8. Learned counsel for the informant submitted that all the prosecution witnesses have been examined, except the Investigating Officer and the Doctor, and all of them have supported the prosecution case.

9. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

10. Accordingly, the application stands dismissed.



11. However, since almost all the prosecution witnesses have been examined, the trial Court is directed to expedite the matter and conclude the same at the earliest, preferably, within a period of four months from the date of receipt of copy of this order.

(Ahsanuddin Amanullah, J)

J. Alam/-

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