

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82414 of 2019

Arising Out of PS. Case No.-108 Year-2016 Thana- BALRAMPUR District- Katihar

SUBHASH ROY Son of Late Mannu Roy Resident of Village - Sahpur, P.S.-
Balrampur, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-02-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The present petition is by way of third attempt on behalf of the petitioner for grant of regular bail in connection with Balrampur PS case no. 108 of 2016 instituted for the offence punishable under Sections 302, 120(B)/34 of Indian Penal Code, inasmuch as the petition of the petitioner for grant of regular bail has been rejected by this Court on two earlier occasions vide order dated 17.05.2018 passed in Cr. Misc. no. 21133 of 2018 and the order dated 13.03.2019 passed in Cr. Misc. no. 3387 of 2019.

The allegation is regarding the petitioner, who is the husband of the deceased victim lady, and other accused persons having killed the deceased victim lady on account of



non-fulfilment of the demand for dowry. A bare perusal of the order dated 01.06.2017 passed by the learned Sessions Judge, Katihar in the case of the petitioner herein while considering the prayer for grant of regular bail, would show that the post-mortem report depicts that there were injuries over the head and neck of the deceased victim lady caused by sharp cutting weapon and there is specific allegation of murder against the petitioner as also the victim deceased lady died in the house of the petitioner. It is also apparent that the trial is in advanced stage.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 04.10.2016 and the trial has not concluded till date.

I have heard the learned counsel for the parties and considered the materials on record and I find that the learned counsel for the petitioner has not been able to point out any change in the circumstance, from the time the petition of the petitioner seeking grant of regular bail was rejected earlier, till date.

Having considered the gravity of the offence alleged to have been committed by the petitioner herein as also the fact that there is no change in circumstance and the trial is in an



advanced stage, I do not find any reason to entertain the present petition of the petitioner for grant of regular bail, hence the same stands dismissed.

(Mohit Kumar Shah, J)

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