

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8006 of 2020

Arising Out of PS. Case No.-89 Year-2019 Thana- KHUTAUNA District- Madhubani

Baidhnath Kamat @ Baidhanath Kamat, aged about 40 years, Male, Son of Late Ram Gulam Kamat @ Late Ramgulam Kamat, Resident of Village - Goth, Khutauna, P.S.- Khutauna, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.13, Advocate
For the State : Mr.Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 07-04-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Khutauna P.S. Case No. 89 of 2019 registered for the offence punishable under Section 302 of the Indian Penal Code.

The prosecution case is that the informant submitted a written report to the S.H.O. Khutauna that her daughter was married with the petitioner 10 years ago and from the wedlock two male child and one daughter was born. It is alleged that there was demanded of the motorcycle and Rs.50,000/- when the informant refused to pay the demand then the daughter of the informant namely Reena Kumari started torture and beaten by the petitioner. It is further alleged that on 28.08.2019 at about 7 O'clock, information has been given by the villagers of Khutauna that Reena Kumari (daughter of the informant) brutally beaten by the petitioner and try to strangulation.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in the present case.

By order dated 05.03.2021, a report was called for regarding the stage of the trial. The report is at Flag 'P'.

Perused the report of the I/C Additional District and Sessions Judge, Civil Court, Jhanjharpur in which it is stated that the charge has been framed on 05.02.2020 but no witness has been examined by the prosecution till now.

In the facts and circumstances of the case, I am not inclined to enlarge the above named petitioner on bail. Accordingly, the prayer for bail of the above named petitioner in connection with Khutauna P.S. Case No.89 of 2019 pending in the court of learned A.C.J.M., Jhanjharpur, District- Madhubani is hereby rejected. However, the trial court is directed to conclude the trial of the petitioner within one years and the same time, the Senior Superintendent of Police, Jhanjharpur, District- Madhubani is directed to ensure the presence for the evidence in the court.

(Anjani Kumar Sharan, J)

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