

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 37669 of 2021

Arising Out of PS. Case No.-89 Year-2017 Thana- GAYA MUFASIL District- Gaya

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KRISHNA MURARI SINGH Son of Late Ram Awadhesh Singh Resident of
Village- Harli, P.S.- Mufassil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar
For the Opposite Party/s : Mr. Ashok Kumar
For the informant : Mr. Mrigendra kuamr

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 18-08-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner, the learned APP for the State Sri. Ashok Kumar, and the learned counsel for the informant Sri Mrigendra Kumar.

The present petition is by way of fourth attempt at the behest of the petitioner for grant of bail in connection Muffasil PS case no. 198 of 2019 under Section 304 (B)/34 of Indian Penal Code, inasmuch as the earlier prayers of the petitioner for grant of regular bail have been rejected thrice by this Court.



The allegation is regarding the petitioner and others having burnt the deceased victim lady who happens to be the wife of the petitioner herein and she had sustained 70% burn injury resulting in her death.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 12.03.2018 and there is no likely hood that the trial would be concluded in the near future. In fact the last order of this Court dated 15.01.2021 would bear it out that though two prosecution witnesses were remaining to be examined, however the same have not been examined till date, despite lapse of a considerable time, hence the petitioner should be granted bail.

Per contra, the learned A.P.P. for the State Sri Ashok Kumar and the learned counsel for the informant have vehemently opposed the prayer for bail and have submitted that on account of the prevailing situation due to Covid-19 Pandemic, the remaining two witnesses could not be examined.

I have heard the learned counsel for the parties and perused the materials available on record, from which this Court finds that there is no change in circumstance so as to warrant re-consideration of the prayer of the petitioner for grant of bail, hence the present petition stands dismissed. Nonetheless, the



trial court is directed to examine the remaining two witnesses
and conclude the trial immediately.

(Mohit Kumar Shah, J)

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