

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28198 of 2020

Arising Out of PS. Case No.-893 Year-2018 Thana- SITAMARHI District- Sitamarhi

SHYAM KUMAR, SAFI S/o- Dinesh Safi @ Dinesh Baitha Resident of
Village- Dostiya, P.S.- Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Laxmikant Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-01-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Section 304(B) of the Indian Penal
Code.

The petitioner has renewed his prayer for bail vide
order dated 04.07.2019, the prayer for bail of the petitioner was
rejected with a direction to the trial court, to conclude the trial
within a period of one year.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of demand of
dowry.

Vide order dated 02.12.2020 a report was called for
from the learned court below regarding the stage of trial.



In compliance of the order dated 02.12.2020 the learned District and Sessions Judge-VII, Sitamarhi vide his letter no. 115/2020 dated 08.12.2020 has informed this court that the case is pending at the stage of prosecution evidence and four witnesses have been examined in this case as yet out of seven witnesses a letter has also been sent to S.P., Sitamarhi for ensuring the presence of the witnesses in the court.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is in jail custody since 25.09.2018. The petitioner has no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail petition.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Sitamarhi P.S. Case No. 893/2018 from the Court of learned A.D.J.-VII, Sitamarhi.

Accordingly, this application is disposed of.

However, the learned court below is directed to conclude the trial as expeditiously as possible preferably within



a period of six months from today both the parties are directed
to extend their cooperation in early conclusion of the trial.

(Anjani Kumar Sharan, J)

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