

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31399 of 2020

Arising Out of PS. Case No.-105 Year-2019 Thana- DHARHARA District- Munger

=====

Saudagar Yadav, male, aged about 42 years, S/o Nago Yadav @ Nageshwar Yadav, R/o Village - Chharrapati Shivkund, P.S. - Dharhara, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr. APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 08-01-2021 Heard Mr. Raj Kishor Prasad, learned Advocate

for the petitioner and the learned APP for the State.

The petitioner, who is in custody since 29.08.2019,
seeks bail in connection with Dharhara P.S. Case No. 105 of
2019, dated 03.05.2019, instituted for the offences under
Sections 304B, 120B and 201 of the Indian Penal Code.

It has been submitted on behalf of the petitioner
that he has not been named in the F.I.R. and only because



of his relationship with the deceased, he has been made accused in this case. There is no eye-witness or any independent witness in the case and the accusation is merely on the basis of surmises and conjectures. The deceased died during the treatment of *Cholera* and about this, the family members of the deceased were also informed. The parents of the deceased never turned up but on wrong advise, the present case has been lodged.

However, taking into account the entire circumstances, I am not inclined to grant bail to the petitioner for the present.

The prayer for grant of bail of the petitioner is, accordingly, rejected.

However, keeping in mind the period of custody of the petitioner, this Court directs the Trial Court to expedite and conclude the trial as early as possible, preferably within a period of nine months from today.

In case there is no substantial progress in the trial within the next six months, the petitioner would be at liberty to approach the Trial Court again for grant of bail. In that



event, the Trial Court would be required to state the reasons
for non-conclusion of the trial within the aforesaid period.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

