

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33772 of 2020

Arising Out of PS. Case No.-163 Year-2016 Thana- KURSAILA District- Katihar

INOD RAJBHAR Son of Surendra Rajbhar @ Surendra Ray Resident of
Village - Gumati Tola, Jarlahi, P.S.- Kursela, Distt.- Katihar.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Praveen Kumar Agrawal, Advocate.
For the State : Mr. A.M.P. Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 12-02-2021 As prayed for, let the learned counsel for the

petitioner remove the defect(s), as pointed out by the office vide

its notes dated 09.12.2020, within four weeks of starting of the

Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Kursela

P.S. Case No.163 of 2016/Sessions Trial No.180 of 2017

registered under Sections 341, 323 and 304(B)/34 of the Indian

Penal Code.

The accusation is of killing the deceased Sunita Devi,

the sister of the informant, by her husband (petitioner) and other

in-law by pressing her neck due to non-fulfillment of the dowry



demand.

Learned counsel appearing on behalf of the petitioner submits that, earlier, the prayer of the petitioner for grant of bail was rejected by a Coordinate Bench of this Court twice, lastly, vide order dated 25.07.2018 passed in Criminal Misc. No.41082 of 2018 with a direction to the learned trial court to expedite the trial and try to conclude it on regular basis so that the trial may be concluded within a reasonable period but the trial of the petitioner has not been concluded as yet and the petitioner is in custody since 09.12.2016, i.e., for more than four years.

The report regarding the present stage of the case and the expected time within which the trial of the petitioner is likely to be concluded, as called for vide order dated 11.01.2021, has been received from the court of the Additional Sessions Judge-III, Katihar, vide Letter No.200 dated 15.01.2021, from which it appears that out of the 8 charge-sheeted witnesses, 5 prosecution witnesses have been examined and the three witnesses including the informant are yet to be examined and, at least, four months time may be taken in conclusion of the trial.

Having regard to the facts and the circumstances of the case and also considering the period of custody of the



petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-III, Katihar, in connection with Kursela P.S. Case No.163 of 2016.

(Rajendra Kumar Mishra, J)

P.S./-

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

