

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48579 of 2021**

Arising Out of PS. Case No.-347 Year-2017 Thana- BANKA District- Banka

UPENDRA YADAV @ UPENDRA KR. YADAV Son of Sukhdeo Yadav
Resident of Village - Okhariya, P.S.- Banka, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Dinesh Singh

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

3 15-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of eight
weeks.

The petitioner seeks bail in Banka P.S. Case No. 347 of
2017 registered under Sections 302, 201/34 of the Indian Penal
Code.

Earlier prayer for bail of the petitioner was rejected vide
Annexure-1 to the present application taking into account that
being husband of the deceased, the onus is upon the petitioner to
explain cause of death of his wife (deceased).

A report was called for from the trial court. It has been
reported that out of 10 prosecution witnesses, seven prosecution



witnesses have already been examined. The trial is likely to be concluded within a period of four months.

Considering the nature of accusation and stage of the case, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner is rejected.

Learned trial court is directed to take necessary steps to conclude the trial preferably, within a period of four months from the date of receipt/production of copy of the order.

The District Magistrate and the Superintendent of Police, Banka are directed to ensure the production of witnesses on the date fixed by the trial court so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate and the Superintendent of Police, Banka for needful.

(Sudhir Singh, J)

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