

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37638 of 2020

Arising Out of PS. Case No.-470 Year-2018 Thana- JAMUI District- Jamui

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MD.NAUSHAD ALAM son of Rahmu Khan Resident of Mohalla- Mahisouri,
P.O., P.S. and District- Jamui.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 24-02-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in connection with

Sessions Trial No. 217/2019 arising out of Jamui P.S. Case

No. 470 of 2018 dated 31.08.2018 instituted for the

offences under Sections 302 /34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier

rejected vide order dated 06.09.2019 passed in Cr. Misc.

No. 34542 of 2019.



This Court on 20.01.2021 had called for a report from the court below about the stage of the case. Though, the report sent by the Trial Court indicates that not a single witness on behalf of the prosecution has been examined till the time of sending of the report but the learned counsel for the petitioner has very fairly intimated this Court that two prosecution witnesses have already been examined and only three are left to be examined as there are total number of only five charge-sheet witnesses.

Considering the fact that the petitioner is the husband of the deceased and is being prosecuted for her murder, I am not inclined to grant bail to him for the present.

The prayer for grant of bail is rejected.

However, considering the fact that the petitioner is in custody since 30.11.2018 and only few witnesses are left to be examined, this Court directs that the Trial Court ought to conclude the trial positively within a period of four months from the date of receipt / production of a copy of this order, failing which, the petitioner would be at liberty to approach



the Trial Court for grant of bail and in that event the Trial Court would be required to state the reasons for the tardy pace of the trial.

(Ashutosh Kumar, J)

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