

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8732 of 2021**

Arising Out of PS. Case No.-123 Year-2019 Thana- NAUGACHIA District- Bhagalpur

Jwala Singh, S/O Late Bindeswari Singh, Resident of Village - Shripur,
Dobhara Tola, P.S. - Naugachia Dist.- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

7 02-09-2021 Heard learned counsel for the petitioner and Mr.Dr.
Kumar Uday Pratap, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Naugachia P.S. Case No. 123 of 2019 registered for the offence punishable under Sections 498(A), 304(B), 201 read with Section 120(B) of the Indian Penal Code. He is in custody since 28.06.2019.

Learned counsel for the petitioner submits that as per prosecution story, the marriage between the petitioner and the sister of the informant had taken place about two years ago. For one year things were going on well but thereafter the husband and other family members were demanding dowry of Rs. one lac and when it could not be fulfilled they were torturing the

sister of the informant. On 16.04.2019 the informant came to know that his sister has been killed and with an intention to conceal the evidence her dead body has been concealed.

Learned counsel for the petitioner submits that the sister of the informant had committed suicide and this is known to the informant.

Mr.Dr. Kumar Uday Pratap, learned A.P.P. for the State has opposed the prayer for bail of the petitioner. It is submitted that in course of investigation several witnesses have supported the allegations against the petitioner and the dead body has not been recovered till date.

Considering the facts and circumstances of the case wherein this Court has noticed that the marriage between the petitioner and the deceased was only two years old and her dead body has not been recovered whereas the petitioner accepts that she has committed suicide, there is no material showing that this fact was brought to the notice of her Naihar people, this Court is not inclined to release the petitioner on bail at this stage.

Considering that the petitioner is in custody for over two years, the learned trial court is expected to proceed with the trial as soon as possible and conclude the same preferably within a period of nine months from the date of communication

of this order.

The prosecution must cooperate by producing all the witnesses on the date fixed in the matter.

If the trial remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.