

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5412 of 2022

Arising Out of PS. Case No.-59 Year-2020 Thana- BAISI District- Purnia

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HUMAU @ HUMAYUN S/o Abdul Khalik R/o village- Hardar, Phoolbasa,
P.S.- Baisi, District- Purnea, (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Laln Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 30-03-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 302, 498A, 120B and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner who was married to the deceased 25 years ago, over a dispute over the hand pump, it is stated that the petitioner banged the head of the deceased in the trailer of the tractor leading to her death.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 7.7.2021 (Annexure-1) passed in Cr. Misc. no. 6751 of 2021. The petitioner has remained in custody since 10.9.2020 and there is no chance of the trial concluding in the near future.



Heard learned A.P.P. for the State.

As per the report received contained in letter dated 10.3.2022 of the District and Sessions Judge, Purnea out of the ten prosecution witnesses, seven prosecution witnesses have been examined and it is the informant, the Investigating Officer and one independent witness remain to be examined.

Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the progress in the trial in the learned trial Court, the Court is not inclined to enlarge the the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial and to conclude the same within four months of the communication of this order.

In case the trial is not concluded within the aforesaid period, the petitioner may renew his prayer for bail in the learned trial Court which shall be considered on its own merits without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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