

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20583 of 2021

Arising Out of PS. Case No.-82 Year-2018 Thana- JAMHOR District- Aurangabad

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SUBODH KUMAR SON OF SRI JAGDISH SINGH RESIDENT OF
VILLAGE- DHARMPURA, P.S.- JAMHORE, DISTRICT- AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Madhuri Kumari, Adv.
For the Informant	:	Mr. Avinash Kumar Singh, Adv.
For the State	:	Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 12-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner, who is the husband of the deceased, has renewed his prayer for bail in a case registered under section 304B, 379 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that his daughter, who was married to the petitioner herein, was beaten and tortured by the accused persons including the petitioner and ultimately for non-fulfillment of demand of dowry to the tune of Rs.5 lacs and a bullet motorcycle, she was done to death.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected



vide order dated 27.9.2019 (Annexure-1) passed in Cr. Misc. no.21625 of 2019. In spite of the petitioner being in custody since 7.8.2018, the trial is still continuing and in view of the Covid 19 pandemic, there is no chance of the same concluding in the near future. On merits, it is submitted that the case was found to be true only under section 306 of the Indian Penal Code and the trial is going on mainly under that said section.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

As per the report received from the learned trial court, four witnesses have been examined on behalf of the prosecution and only three witnesses ie the informant, Shashi Kumar and the Investigating Officer of the case remained to be examined. Learned counsel appearing for the informant submits that he shall produce the two non-official witnesses in the trial court on consecutive dates and shall not delay the trial.

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

Learned trial court is directed to expeditiously conclude the trial preferably within a period of four months



from the date of receipt/communication of this order.

The Superintendent of Police, Aurangabad is directed to ensure the appearance of the Investigating Officer of the case in the trial on the next date.

Let a copy of this order be communicated to the Superintendent of Police, Aurangabad.

(Partha Sarthy, J)

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