IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28941 of 2021

Arising Out of PS. Case No.-237 Year-2017 Thana- BARARI District- Katihar

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MD. TANVEER S/O KHURSHID ALI R/O DURGAPUR, HAJITOLA, P.S.-BARARI, DISTRICT-KATIHAR

... ... Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjeev Kumar Singh
For the Opposite Party/s : Ms. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 07-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has renewed his prayer for bail in a case registered under sections 304B and 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner who happens to be the husband of the deceased was rejected vide order dated 18.4.2019 (Annexure-1) passed in Cr. Misc. no.10287 of 2019 stating that the same was being rejected for the present. Inspite of almost three years have been passed since passing of the said order and the petitioner having remained in custody since 6.8.2018 the trial is still continuing and there is no chance of the same concluding in the near future. The petitioner undertakes to

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cooperate in the trial.

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

As per the report received from the Court of learned 1st Additional District and Sessions Judge -cum- Special Judge, Katihar, out of the eleven chargesheet witnesses, eight witnesses have been examined and the S.P., Katihar has been asked to produce the remaining witnesses.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegation in the F.I.R. and the progress in the trial, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The Superintendent of Police, Katihar is directed to ensure the presence of the remaining prosecution witnesses in the trial at the earliest and the learned trial Court is directed to conclude the trial within six months.

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

(Partha Sarthy, J)

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