

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36671 of 2022

Arising Out of PS. Case No.-53 Year-2021 Thana- PIPRIYA District- Lakhisarai

KARU SINGH @ SHATRUDHAN KUMAR SON OF LATE RAM
NANESH SINGH R/O VILLAGE- WALIPUR, P.S.- PIPARIYA, DISTRICT-
LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-08-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 302, 201/34 of the Indian Penal Code.

The daughter of the informant is subjected to assault
and torture on account of non-fulfillment of demand of dowry
and she has been done to death finally by the petitioner and
others.

Learned counsel for the petitioner submits that earlier
the prayer for bail of this petitioner has been rejected by this
Court vide order dated 20.01.2022 passed in Cr. Misc. No. 48447
of 2021. He further submits that the petitioner happens to be
cousin brother of the husband of the deceased and he is nowhere
involved in the alleged occurrence. However, learned counsel for



the State while opposing the prayer for bail of this petitioner on the earlier occasion has submitted that there is sufficient material available on record against the petitioner more particularly in paragraphs-71 and 55 of the case diary but on bare perusal of the aforesaid paragraphs of the case diary, it does not establish that the petitioner has been instrumental in any manner in the alleged occurrence. Therefore, the contradiction between the statement of the learned counsel for that State and the material fact available in the case diary amounts to wrong appreciation of fact as the State counsel has brought wrong and immaterial fact to the notice of this Court which led to rejection of the prayer for bail of this petitioner. He further submits that the co-accused, Bibha Devi, and Rajendra Singh have already been granted bail by a co-ordinate Bench of this Court vide order dated 16.5.2022 passed in Cr. Misc. No. 56719 of 2021 and Cr. Misc. No. 5958 of 2022, respectively and one more co-accused, namely, Gopal Singh @ Bilay Singh has already been granted bail by this Court vide order dated 18.04.2022 and 18.04.2022 passed in Cr. Misc. No. 60872 of 2021 but the petitioner has been languishing in judicial custody since 06.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

This Court while considering the prayer for bail of this



petitioner, called for a report regarding stage of the state of the trial which, accordingly, received to this Court and reveals that charges have been framed in this case on 07.04.2022 and out of eight witnesses, four have been examined as yet. It further reveals that now the case is fixed for further examination of prosecution witnesses and it is expected that the trial of the case is likely to be concluded within six months.

In view of aforesaid report, this Court, taking note of the fact that only four witnesses are required to be examined in this case and the case is fixed for further examination of prosecution witnesses, is of the view that there seems to be substantial progress in the trial and the same is to be concluded soon. Therefore, this Court is not inclined to consider the prayer for bail of the petitioner at this stage and, accordingly, it is rejected.

(Rajesh Kumar Verma, J)

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