

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64437 of 2021

Arising Out of PS. Case No.-161 Year-2019 Thana- DUMRA District- Sitamarhi

Murari Sah Son Of Binod Sah @ Vinod Sah R/O Village- Prem Nagar, P.S.-
Runni Saidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-02-2022 Due to the third wave of COVID-19 Pandemic, the matter is
being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders'
under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for
the State through virtual mode.

Learned Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks after
restoration of normalcy.

The petitioner seeks bail in connection with Sessions Trial
No.53/20 arising out of Dumra P.S. case No.161/2019 registered under
Sections 304(B)/34 of the Indian Penal Code, pending in the court of
A.D.J. X, Sitamarhi.

The earlier bail application of the petitioner was rejected vide
Annexure 1 to the present application taking into account that the
petitioner is the husband of the deceased and the onus is on him to explain



the cause of death of the deceased.

A report was called for from the trial court. It has been reported that the case has been fixed for prosecution evidence and unfortunately the prosecution witnesses have not been produced on behalf of the prosecution and N.B.W. has also been issued against the prosecution witnesses and the trial is likely to be concluded within a period of six months.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order.

The District Magistrate, Sitamarhi and the Superintendent of Police, Sitamarhi are also directed to take necessary steps to produce the witnesses on the date fixed by the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Sitamarhi and the Superintendent of Police, Sitamarhi.

Narendra/-

(Sudhir Singh, J)

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