

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59566 of 2022

Arising Out of PS. Case No.-64 Year-2021 Thana- SIKRAUL District- Buxar

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RADHA KRISHNA PANDEY @ SONU PANDEY S/O LAKHAN LAL
PANDEY @ DINESH PANDEY Resident of village- Basmanpur, P.S.-
Sikraul, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 304(B)/34 of the Indian
Penal Code.

This is the second attempt of the petitioner to seek
bail as earlier his bail application was rejected by order dated
08.03.2022 in Cr. Misc. No. 58647 of 2021 as the petitioner was
the husband of the deceased and the death of his wife took place
within seven years of marriage.

Learned counsel for the petitioner submits that
petitioner is in custody since 25.08.2021 and, as such, has



remained in custody for more than one year and till date charges have not been framed as has been specifically pleaded at para 15 of the bail application.

The Court for the present is not inclined to reconsider the prayer for bail of the petitioner, as such, the bail application is rejected in connection with Sikraul P.S. Case No. 64 of 2021 pending in the Court of learned Chief Judicial Magistrate, Buxar/successor Court.

In the event, if the trial of the case is not concluded within a period of fourteen months from the date of receipt/production of a copy of this order, the petitioner will be at liberty to move his bail application before the learned trial court itself and if the learned trial court comes to a conclusion that for no fault of the petitioner, the trial could not be concluded then the petitioner shall be released on bail.

(Satyavrat Verma, J)

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