

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72377 of 2021

Arising Out of PS. Case No.-154 Year-2019 Thana- MAJHAULIA District- West Champaran

Shakil Mian @ Mogal Mian Son of Khalil Mian Resident of Village- Bathna,
Gadi Tola, P.S.- Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 18-10-2022 Learned counsel for the petitioner submits that due to inadvertence the date of custody has been typed in Paragraph no. 11 as '08.04.2021' instead of '08.04.2019', therefore, he seeks permission to correct the same.

Permission granted.

Learned counsel for the petitioner is directed to make necessary correction in course of the day.

Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Majhauria P.S. Case No. 154 of 2019 lodged under Section 302 of the I.P.C.

As per the prosecution case, the informant, who is the father of the deceased, has categorically stated that marriage of his daughter was solemnized with the petitioner and from the wedlock 4 children were born, and has alleged that the petitioner used to abuse and assault informant's daughter in toxic state. Subsequently, informant received the information that his daughter was murdered and dead body was thrown in sareh, from where the dead body of the deceased was recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 08.04.2019 and charge has been framed in this case and no purpose will be served in continuing the petitioner in jail. Learned counsel submits that the marriage was solemnized in the year 2002 and petitioner has 4 children from this wedlock.

Learned counsel for the State opposes the prayer for bail and submits that there are independent witnesses in the case diary, who have supported the story of prosecution and witness of abuse and assault of the deceased by her husband..

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail and hereby direct to the Trial Court to expedite the trial within 9

months from today. Liberty is hereby granted to the petitioner that he may renew his prayer for bail in case trial not concluded in time.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

ashishsingh/-

U		T	
---	--	---	--