

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25555 of 2022

Arising Out of PS. Case No.-773 Year-2014 Thana- ARARIA District- Araria

HAFIZ TANVEER, S/o Tajuddin, R/o village- Ahmadpur, P.S.- Simraha,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 07-02-2023 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner seeks bail in connection with Sessions Trial No.
223 of 2017 arising out of Araria P.S. Case No. 773 of 2014
registered under Sections 302, 201, 120(B), and 34 of the Indian
Penal Code.

The allegation against the petitioner is of having committed
murder of his wife. The victim was killed by hanging.

Learned counsel for the petitioner submits that petitioner has
remained in custody since 31.01.2021. It is submitted that the
informant is not an eye witness to the alleged killing. In fact the
victim was a short tempered lady and committed suicide for some
trivial matrimonial dispute in the house. The petitioner, in these
circumstances, has been made an accused, through he is not
responsible for the killing. He has clean antecedents. Investigation is



complete.

Learned APP has opposed the prayer for bail. With reference to material in the case diary, she shows that the deceased died due to asphyxia. The injuries had been found on the victim corroborating death by hanging as well as some other minor injuries.

Under these circumstances, report was requisitioned from the trial court regarding the stage of trial. Six (6) out of eleven (11) charge-sheeted witnesses have been examined and cross-examined, as per report dated 04.02.2023, and five (5) are remaining.

Under these circumstances, having regard to the nature of allegations, material collected in the investigation and the stage of trial, this Court is not inclined to allow the petitioner's prayer for bail.

The application is rejected.

The trial court should make endeavours to conclude the trial as expeditiously as possible without granting any unnecessary adjournment or undue delay, preferably within four months.

(Madhuresh Prasad, J)

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