

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31874 of 2022**

Arising Out of PS. Case No.-99 Year-2020 Thana- UJIYARPUR District- Samastipur

Chandan Jha @ Chandan Kumar Jha Son Of Vinod Jha @ Moti Jha R/O
Village- Chaksirai, P.S.- Ujiyarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

9 08-05-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

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

The accusation is of killing the daughter of the
informant by her in-laws family members including the
petitioner.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The petitioner is husband of
the deceased. The petitioner was not apprehended from



the place of occurrence. The informant is not an eye witness to the occurrence. There is general and omnibus allegation against all the F.I.R named accused persons including the petitioner. The F.S.L report does not suggest any poisonous substance. The petitioner is languishing in custody since 27.07.2020.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is husband of the deceased. The death of the deceased was in an abnormal circumstance within seven years of marriage. The independent witnesses as well as postmortem report corroborate the case of the prosecution.

In pursuance to the direction of this Court, a report with regard to the present stage of the case has been received which has been kept at Flag-Z. The report of learned Additional District & Sessions Judge-IX, Samastipur dated 22.02.2023 suggests that trial will be concluded within nine months.



Considering the fact that petitioner is husband of the deceased and the death occurred within seven years of the marriage, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same within the specified period of time as mentioned in the report dated 22.02.2023.

(Sunil Kumar Panwar, J)

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