

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41062 of 2022

Arising Out of PS. Case No.-29 Year-2021 Thana- DHANKUND District- Banka

Md. Jamshed Son Of Md. Jahangir R/O Village- Khaira, P.S.- Dhankund,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 24-03-2023 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 302, 201/34 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 and 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 petitioner is languishing in custody since 21.03.2021.

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 and 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-R. The report of learned Additional District & Sessions Judge, 1st, Banka dated 28.02.2023 suggests that trial will be concluded within one year.

Considering the fact that petitioner is husband



of the deceased and the death occurred within one month 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 28.02.2023.

(Sunil Kumar Panwar, J)

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