

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58706 of 2023

Arising Out of PS. Case No.-71 Year-2021 Thana- MANIGACHI District- Darbhanga

SHIV DAS @ SHIV SHANKAR S/O LATE RAM CHANDRA DAS
VILLAGE- DAHORA, PASCHIM TOLA, PS- MANIGACHI, DIST-
DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Chandra, Adv.

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 22-12-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner seeks bail in connection with

Sessions Trial No. 225 of 2023 arising out of Manigachi

P.S. Case No. 71 of 2021 registered for the offences

punishable under Sections 304(B), 201, 34 of the Indian

Penal Code and Section 3/4 of Dowry Prohibition Act.

3. As per prosecution case, the informant's

daughter has been killed by the petitioner and others for

non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits



that earlier prayer for bail of the present petitioner has been rejected by this Court vide Cr. Misc. No. 63339 of 2021 on 12.09.2022 with direction to expedite the trial within nine months and thereafter the petitioner may renew the prayer of bail. He further submits that delay of trial is not in any way attributable to the present petitioner as petitioner is in custody since 26.04.2021 and bears no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that petitioner is husband of the deceased and there is allegation of committing murder of informant's daughter for non-fulfillment of demand of dowry and earlier bail prayer of the petitioner has been rejected on merit.

6. A report regarding stage of trial has been sought by this Court and in pursuance of the said direction, the trial court vide letter no. 485 dated 02.12.2023 has sent its report which reveals that all the prosecution witnesses have been examined. The



aforesaid report further reveals that trial court sought two months time to conclude the trial.

7. Considering the facts and circumstances of the case, arguments advanced on behalf of both sides, material available on record as well as report of the trial court, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

8. However, trial court is directed to expedite the trial and conclude the same within two months from the date of receipt of this order.

(Alok Kumar Pandey, J)

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