

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2091 of 2023

Arising Out of PS. Case No.-5 Year-2019 Thana- BASOPATTI District- Madhubani

SADRE ALAM @ MD. SADRE ALAM S/o Md. Asgar R/o village-
Ghorbanki, P.S.- Basopatti, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-03-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant who was married to the petitioner was done to death by strangulating her which allegation has been confirmed from the contents of the postmortem report.

The earlier prayer for bail of the petitioner was rejected vide order dated 25.3.2022 (Annexure-1) passed in Cr. Misc. no. 52544 of 2021.

It is submitted by learned counsel for the petitioner that though the petitioner has remained in custody since 30.8.2019, there is no chance of the trial concluding in the near



future. Only the informant and the doctor have been examined in the learned trial Court. One of the witnesses has died. Two non-official witnesses and two Investigating Officers who are said to have been transferred out side the district remain to be examined. Thus there is no chance of the trial concluding in the near future. The petitioner undertakes to cooperate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation of the daughter of the informant having been strangled to death which allegation has been confirmed from the postmortem report and the petitioner being the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial and to conclude the same at the earliest. The learned trial Court will take all possible steps for appearance of the witnesses. It is further directed that the Superintendent of Police, Madhubani will ensure the appearance of the official witnesses ie two Investigating Officers who are said to have been transferred out side the district for their examination as witness on the next date fixed in the trial and also appearance of the non-official



witnesses.

(Partha Sarthy, J)

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