

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14225 of 2024

Arising Out of PS. Case No.-235 Year-2020 Thana- KATIHAR MUFFASIL District- Katihar

Md. Ismail S/O MD. IBRAHIM R/O VILLAGE- SIRNIA GOLAGAT
NAHAR, PS.- MUFFASIL, DISTT. KATIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.12 of 2021 (arising out of Muffasil P.S. Case no.235 of 2020) registered under section 302 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his daughter, who was married to the petitioner herein, was assaulted by her husband. She expressed her apprehension that she would be killed. He received information of her having been killed. He is convinced that her husband is responsible for killing her by assaulting her as a result of which she sustained internal injuries.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the



reason that he happens to be the husband of the deceased. There is no eye witness to the occurrence. The manner of occurrence is other than what has been narrated in the F.I.R. The petitioner is in custody since 30.10.2020 and the trial is not proceeding.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner, who happens to be the husband of the deceased, the allegation against the petitioner being of having assaulted the deceased, the cause of death in the post-mortem report being haemorrhage and shock due to the injuries mentioned therein caused by hard and blunt object together with the trial having commenced, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

8. Liberty is granted to the petitioner to renew his prayer for bail after six months in case there is no substantial progress in the trial in the learned trial Court.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

