

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11551 of 2024

Arising Out of PS. Case No.-117 Year-2019 Thana- JANDAHA District- Vaishali

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Dewari Sahni S/o Late Bigan Sahni r/o village Bajitpur Madhaul PS Jandaha
District Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Bela Singh, Advocate
		Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Sessions Trial no.119 of 2022 (arising out of Jandaha P.S. Case no.117 of 2019) registered under section 302 of the Indian Penal Code.

3. The earlier prayer for bail of the petitioner was rejected vide order dated 9.1.2023 passed in Cr. Misc. no.19703 of 2022.

4. As per the prosecution case, it is stated that on his wife asking him not to abuse her, he picked up a wooden '*chaukhat*' and as a result of indiscriminate assault by him on his wife, she sustained grievous injuries and died on the spot.

5. Learned counsel for the petitioner submits that



inspite of the petitioner having remained in custody since 24.5.2019, the trial has still not concluded and there is no chance of the same concluding in the near future. He undertakes to cooperate in the trial and to abide by the conditions which may be laid for his release on bail.

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

7. A report was called for from the learned trial Court. As per the report received contained in letter dated 14.3.2024 of the Additional Sessions Judge IV, Vaishali at Hajipur, five witnesses have been examined on behalf of the prosecution and the doctor and the Investigating Officer remain to be examined. For their appearance, summons have been issued.

8. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner of being the assailant of the deceased together with the progress in the trial in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. If not already examined, let the Superintendent of Police, Vaishali ensure the production of the official witnesses ie the doctor and the Investigating Officer in connection with Jandaha P.S. Case no.117 of 2019 for their examination as witnesses in connection with Sessions Trial no.119 of 2022, at



the earliest.

10. Let this order be communicated to the Superintendent of Police, Vaishali at Hajipur for its due compliance.

(Partha Sarthy, J)

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