

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61946 of 2023

Arising Out of PS. Case No.-216 Year-2021 Thana- KUMAR KHAND District- Madhepura

HARINANDAN SARDAR Son of Sahdev Sardar R/o vill - Champa Nagar,
P.S. - Jadia, Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

8 12-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with Sessions Trial No. 257 of 2021 arising out of Kumarkhand P.S. case No. 216 of 2021 for the offence punishable under Section 302, 201 of the Indian Penal Code.

3. As per the prosecution case, informant has suspected that the petitioner might have killed his first wife as he had performed second marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent, committed no offence and has falsely been implicated in this case. He further submits that petitioner is the husband of deceased Sarita Devi.



5. However, learned APP for the State strongly opposes the prayer for regular bail of the petitioner.

6. Having heard learned counsel for both the parties and perused the F.I.R., case diary and also the post mortem report of the learned Additional Sessions Judge, 3rd, Madhepura as called for this Court vide order dated 05.01.2024, and from perusal of the F.I.R., post mortem report and case diary, it appears that death of deceased Sarita Devi is suspected condition and cause of death is asphyxia due to ligature strangulation. Learned trial Court has reported through his letter No. 5 of 2024 that the trial of the case, S.T. No. 257 of 2021 will be concluded in estimated time of one year. Accordingly bail petition of petitioner stands rejected. The trial must be concluded within a year as reported by trial Court.

7. Let the trial be expedited and concluded within a year failing which petitioner shall be at liberty to renew the prayer for bail.

(Ramesh Chand Malviya, J)

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