

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79512 of 2023

Arising Out of PS. Case No.-135 Year-2015 Thana- CHARPOKHARI District- Bhojpur

RANJAN KUMAR GUPTA son of Baldeo Sah village- Pasaur Ps-
Charpokhari Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in Charpokhari P.S. case
No. 135 of 2015 (Sessions Trial No. 262 of 2018) instituted for
the offences under Sections 304(B), 120(B) and 34 of the Indian
Penal Code.

3. Prosecution allegation, in short, is that the accused
persons have assaulted the informant and thereafter sprinkled
the kerosene oil on her body and lit fire due to which the
informant got burnt and her treatment was going on. Later on,
after death of the informant(victim), Sections 304(B), 120(B)
and 34 of the Indian Penal Code were added.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Nothing has been alleged in the F.I.R. against the petitioner. The petitioner is husband of the deceased. Learned counsel for the petitioner further submits that the petitioner is in custody since 18.08.2018 i.e. for about 5 years and eight months and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP, referring to the paragraphs of the case diary, submits that in her further statement, the victim had made specific allegation against this petitioner also. Being the husband of the deceased, the petitioner does not deserve the privilege of bail.

6. A report was called for from the Trial Court. It has been reported vide letter dated 13.03.2024 that out of 11 prosecution witnesses, seven witnesses have already been examined and official witnesses remained for their examination. The report further states that the case is likely to be disposed of within nine months.

7. Considering the aforesaid facts and circumstances of the case, nature of accusation and gravity of the offence and the petitioner being husband of the deceased, this Court is not inclined to grant bail to the petitioner.



8. The prayer is rejected. The Trial Court is directed to take all necessary steps to conclude the trial expeditiously preferably within a period of six months from the date of receipt/production of a copy of this order.

9. If the trial is not concluded within the aforesaid period of six months, the petitioner will be at liberty to renew his prayer for bail before the Court below which will be considered on its own merit without being prejudiced by this order.

10. The District Magistrate, Bhojpur and the Superintendent of Police, Bhojpur are also directed to take necessary steps to produce the witnesses on the date fixed in the Trial Court so that the trial could be concluded within the stipulated period.

11. Let this order be communicated to the District Magistrate, Bhojpur and the Superintendent of Police, Bhojpur.

(Rudra Prakash Mishra, J)

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