

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49859 of 2016

Arising Out of PS. Case No.-1301 Year-2015 Thana- COMPLAINT CASE District-
Kishanganj

=====

Md. Azam Alam son of Jahiruddin resident of village Domohani P.S.
Bahadurganj, District Kishanganj.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Sahista Begam wife of Md. Azam Alam, daughter of Jhari Bues @ Anwar Alam resident of village Domohani P.S. Bahadurganj, District Kishanganj.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Durga Nand Jha, Advocate
For the O.P. No. 2	:	Mr. Dilip Kumar Singh, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

5 27-07-2026 At the very outset Mr. Durga Nand Jha, learned counsel appearing for the petitioner prays for withdrawal of the application but at the same time he fairly submits that the order under challenge is dated 21.06.2016, whereby cognizance of the offence under Section 498A of the IPC has been taken but for the last 8 years, trial has been going on and even after framing of charge, the prosecution side is not taking any interest in pursuing the trial in right earnest, on account of which petitioner being husband is suffering both mentally and physically.

2. Learned counsel for the Opposite Party No. 2, submits that by filing counter affidavit, he has detailed about the conduct of the petitioner on account of his dilatory tactics, the



trial could not be completed. He submits that the charges have been framed in the year-2019 and thereafter one of the prosecution witness has been examined, but he did not deny the fact that thereafter after 4 years another prosecution witness, P.W. 2 was examined in the year 2024.

3. Since, the stage has changed and now the trial has been in advance stage, Mr. Durga Nand Jha, learned counsel for the petitioner submits that the trial court may be directed to conclude the trial at the earliest, considering the ordeal faced by the petitioner for past 8 years, who, for having committed no offence but only for the matrimonial differences between the husband and wife, is suffering and facing trial.

4. Learned APP for the State submits that for the last 8 years the trial has been going on, so a direction may be given to conclude the trial at the earliest.

5. In view of the aforesaid submission advanced on behalf of the parties, whereas the petitioner is interested in getting the trial to be concluded at the earliest, likewise the complainant also prays that the trial may be directed to be concluded so that justice may be done to the complainant-wife, the learned trial Court is directed to conclude the trial within a period of three months henceforth, without granting any



unnecessary adjournment because this matter is of the year-2016 and now we are in the year-2026 and as such case of matrimonial nature wherein difference between husband and wife gave rise to a criminal case, could not be allowed to be prolonged for such an inordinate period.

6. This application is disposed of with the aforesaid direction.

(Rana Vikram Singh, J)

ranjan/-

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

