

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27753 of 2014

Arising Out of PS.Case No. -1738 Year- 2007 Thana -GAYA COMPLAINT CASE District- GAYA

1. Shatrughan Gupta @ Shatrughan Lal Gupta Son of Sri Lakhan Prasad Gupta @ Lakhan Lal Gupta Resident of Village- Belaganj, P.S.- Belaganj, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bachan Jee Ojha

For the Opposite Party : Mr. Uma Shankar Prasad Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

5 11-03-2015

The petitioner being husband of the victim has renewed his prayer for bail in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 304B of the I.P.C.

The petitioner is languishing in custody since 29.11.2012.

The report of learned Additional District Judge, II, Gaya reflects that charges were framed on 11.11.2013, summons were issued on 19.11.2013 and warrants were issued to the witnesses on 29.04.2014, but no witness has been produced which reflects the callous approach of the prosecuting agency.

It is alleged that daughter of the complainant

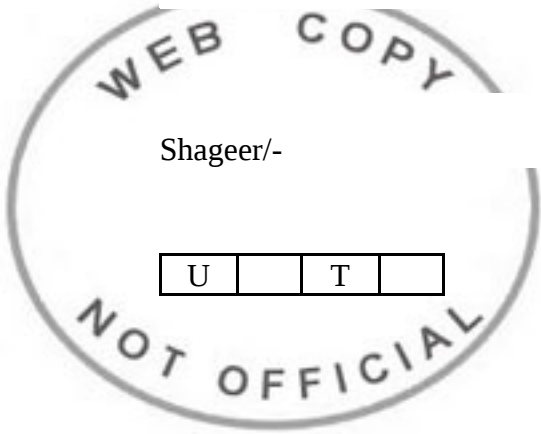
was married with the petitioner three years prior to the occurrence when the victim started from Kurla Railway Station for Patna on 03.11.2007 and thereafter she went missing.

It is submitted by learned counsel for the petitioner that missing report was reported by the husband on 12.11.2007 at Kurla Railway Station when the Sanha was lodged by the father of the victim on 30.11.2007 at Gaya in Bihar and subsequently the present complaint was filed contrary to the averments made in the Sanha lodged by the father of the victim. Considering the fact that petitioner lodged the missing report after nine days of the victim went missing the earlier bail of the petitioner was rejected with liberty to renew his prayer for bail, if the trial is not concluded within a period of one year.

Keeping in view of the liberty given to the petitioner in the earlier order dated 25.06.2013 passed in Cr. Misc. No. 14018 of 2013 and the report of the learned Trial Court which reflects that there is no likelihood of trial being concluded in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Adhoc Additional District Judge-V, Gaya in connection with Sessions Trial No. 121 of 2013, arising out of Complaint Case No. 1738 of 2007.

Learned Trial Court will be at liberty to cancel

the bail bonds of the petitioner, if the petitioner defaults for two consecutive occasions during trial.



(Dinesh Kumar Singh, J)