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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28637 of 2014

Arising Out of PS.Case No. -117 Year- 2012 Thana -SAHKUND District- BHAGALPUR

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1. Chandan Jha @ Chandan Kumar Jha S/o Sri Surendra Prasad Jha Resident of Village - Rampur Dih, P.S. - Sajour (Shahkund), District - Bhagalpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Subodh Kumar Jha

For the Opposite Party : Mr. Ram Sumiran Rai(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 06-05-2015 The petitioner being husband of the victim has renewed his prayer for bail in a case registered for the offences punishable under Sections 307, 326, 329, 498A of the Indian Penal Code. Subsequently Section 302 of the Indian Penal Code was also added.

The First Information Report was based on the fardbeyan of the informant where she stated that she demanded money for the treatment of the child when this petitioner lit fire after pouring kerosene oil and subsequently the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioner that eight witnesses have been examined during trial and they all have not supported the prosecution case.

Learned counsel for the State, after going through the evidence of the witnesses recorded during trial, has not controverted the contention of the learned counsel for the

petitioner.

The report of learned Additional District & Sessions Judge-IV, Bhagalpur dated 12.09.2014 suggests that no witness has been examined.

It is further submitted by learned counsel for the petitioner that petitioner is suspected case of cancer and he has been admitted in Jawahar Lal Nehru Medical College, Barari.

In the circumstances, let the petitioner, above named, be released on provisional bail for six months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-IIIrd, Bhagalpur in connection with Sessions Trial No. 384 of 2013, arising out of Sajour(Shahkund) P.S. Case No. 117 of 2012.

The petitioner will surrender after the expiry of provisional bail if the trial does not conclude by then.

The bail bonds of the petitioner will be accepted on filing affidavit to the effect that he will regularly appear during trial.

It is expected from the Trial Court to conclude the trial expeditiously.

(Dinesh Kumar Singh, J)

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