

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46719 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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1. Guddu Singh S/o Shri Vishwanath Singh R/o Sagar Katariya P.S. Pipira,
District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi
For the Opposite Party/s Mr. Amrendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 11.05.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner being husband of the deceased is in jail custody
since 15.7.2014 in a case registered under sections 304B, 201/34 of
the Indian Penal Code as well as section 3/ 4 of the D.P. Act.

Earlier prayer for bail of the petitioner was rejected by this
court vide order dated 24.4.2015 passed in Cr. Misc. no. 4982/2015.

Submission on behalf of the petitioner is that the petitioner
is in jail custody since long and up till now, only charge could be
framed against him. It is further alleged by him that the prosecution is
not interested to adduce its evidence rather prosecution only wants to
keep the petitioner behind the bar without trial and that is the reason
up till now, prosecution could not produce any prosecution witness.

Trial court has reported vide letter no. 134 dated 6.4.2016
that in spite of issuance of warrant of arrest and other processes,

witness of the prosecution did not turn up and the case is pending for recording the prosecution evidence.

Considering the aforesaid facts and circumstances as well as submissions of the parties, particularly, keeping in mind the present stage of trial of the petitioner as well as his detention in judicial custody, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge XI, East Champaran at Motihari in Sessions Trial no. 457/2015 arising out of Pipra P.S. Case no. 62/2014 subject to the condition that petitioner shall attend the learned trial court in person on each and every date for the period of six months or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

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(Hemant Kumar Srivastava,J)

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