

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50839 of 2016

Arising Out of PS.Case No. -178 Year- 2013 Thana -MANER District- PATNA

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1. Guddu Kumar Singh @ Guddu Kumar Son of Ramayan Singh @ Bare Singh resident of Village - Sarai, Police Station - Maner, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party/s : Mr. Sri Abhay Kumar – 1 APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 30-11-2016

Heard both sides.

The petitioner being the husband of the victim is accused of an offence punishable under Section 304B and 120B/34 of the IPC. His prayer for bail was rejected on 14.05.2015 (Annexure-2) whereby a liberty was granted to renew prayer in the Court below itself if all the material prosecution witnesses are not examined within one year. The petitioner upon expiry of the said period approached the learned trial Judge and upon refusal has filed the present application for grant of bail.

It is stated referring to the statement made in para -9 that till date only 06 formal witnesses have been produced /examined by the prosecution. Neither the informant nor the doctor has been examined in the case. The Court has also not



closed the evidence of the prosecution. In the impugned order of the learned Additional Sessions Judge –V, Danapur, it is stated that urgent steps have been taken to conclude the prosecution evidence within 03 months. Counsel for the petitioner states that the petitioner is in custody since 12.09.2013.

Considering the facts and circumstances of the case, this Court, while declining the prayer for grant of bail, dispose of the application by the following order:-

Let the trial Court take steps for examination of the remaining prosecution witnesses and close the evidence of the prosecution within 03 months from the date of receipt/production of a copy of this order, failing which the petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-V, Danapur, District- Patna, in connection with Sessions Trial No. 473 of 2014/Tr. No. 289 of 2016 arising out of Maner P.S. case no. 178 of 2013, with the following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) In the event of bail, the petitioner shall appear in person before the trial court on the date(s) fixed



at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law

(Kishore Kumar Mandal, J)

Shyam/-

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