

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39319 of 2016

Arising Out of PS.Case No. -11 Year- 2009 Thana -GURUA District- GAYA

=====

Meraj Khan, Son of Sheraj Khan, Resident of Village -Gamhariya Police Station - Gurua, District - Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Madhuranand Jha

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 24-11-2016 Heard both sides.

The petitioner seeks bail in Gurua P.S. Case No. 11 of 2009, corresponding to Sessions Trial No. 113 of 2014, registered under Section 304(B) and 34 of the I.P.C.

The petitioner is the husband of the deceased. The petitioner is alleged to have killed his wife due to non-payment of additional dowry.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner twice rejected by this Court and on the last occasion vide order dated 27.04.2011. The prayer for bail of the petitioner was rejected with direction to the trial Court to expedite the trial, but the trial of the petitioner has not yet been concluded and only five prosecution witnesses have been examined in this case. The petitioner is in jail since 03.03.2009.

The petitioner has already remained in jail for more than seven and half years in a case of dowry death.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Session Judge-9th, in Sessions Trial No. 113 of 2014 arising out of Gurua P.S. Case No.11 of 2009. The petitioner shall appear on each and every date fixed in the case, if the petitioner fails to appear on the date fixed, the learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J)

manish/-

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