

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9509 of 2016

Arising Out of PS.Case No. -208 Year- 2012 Thana -WAJIRGANJ District- GAYA

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Binod Prasad Barnwal son of Sri Kedaral Barnwal Resident of Village
Tarwan, P.S. Wazirganj, District Gaya.

.... Petitioner

Versus

. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee, Advocate

For the Opposite Party/s : Mr. Gulnar Begum (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 27-07-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Section
304/34 of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected
by this Court vide order dated 11.9.2013 passed in Cr. Misc.
No.11156 of 2013 but submission on behalf of the petitioner is
that petitioner is languishing in jail custody since 17.9.2012 and
the report of the trial court reveals that up till now, trial of the
petitioner could not be completed.

No doubt, petitioner being the husband of the deceased
is being prosecuted for the offence punishable under Section 304B
of the Indian Penal Code but no person can be kept in custody for

indefinite period. The report of the learned trial court goes to show that there is no possibility of conclusion of the trial of the petitioner in near future though the learned trial court has sought six months' more time for conclusion of the trial.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner above named 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 5th Additional Sessions Judge, Gaya in connection with Sessions Trial No.132 of 2014 arising out of Wazirganj P.S. Case No.208 of 2012, subject to the condition that one of the sureties must be close relative of the petitioner who shall sworn affidavit to this effect how he is related with the petitioner.

(Hemant Kumar Srivastava, J)

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