

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10682 of 2017

Arising Out of PS.Case No. -61 Year- 2014 Thana -IMAMGANJ District- GAYA

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Anuj Kumar S/o Laxmi Ram Resident of Village - Dighasin, P.S. -
Imamganj, District - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 304(B)/ 34 of the Indian Penal
Code.

Earlier the prayer for bail of the petitioner was twice
rejected by this court but lastly while rejecting the prayer for bail
of the petitioner vide order dated 03.08.2016 passed in Cr. Misc.
No. 11687 of 2016 this court directed the court below to commit
the case to the court of Sessions and furthermore, the Sessions
court was directed to conclude the trial of the petitioner within six
months from the date of receipt of the record in sessions court.
However, the order dated 14.02.2017 passed by learned Additional



Sessions Judge-I, Gaya goes to show that the case record was received in Sessions court on 20.08.2016 and charge was framed on 20.09.2016 but till 14.02.2017, not a single prosecution witness was examined. Petitioner is in jail custody since 05.07.2014.

No doubt, petitioner is husband and there is presumption of dowry death against him but taking into consideration the period of detention of the petitioner in jail custody as well as stage of the trial, I think it proper to release the petitioner on bail. Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I, Gaya in connection with Sessions Trial No. 389 of 2016 (S.J.)/ 175 of 2016 arising out of Imamganj P.S. Case No. 61 of 2014.

(Hemant Kumar Srivastava, J)

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