

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48284 of 2019

Arising Out of PS. Case No.-9 Year-2013 Thana- CHAKAI District- Jamui

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BABULAL MURMU Son of Late Pirthawi Murmu Resident of Village -
Jabardaha, P.S.- Chakai, Distt - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-01-2020 Heard learned counsel for the petitioner and the State.

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

Earlier prayer for bail of the petitioner was rejected vide
Annexure-I series to the present application with direction to the trial
court to conclude the trial of the petitioner preferably within a period
of one year. After lapse of the said period, the petitioner had
preferred the second application and the same was rejected with
direction to the trial court to conclude the trial of the petitioner within
a period of six months. In the light of aforesaid observations, the
third bail application has been filed on behalf of the petitioner stating
that the other co-accused has been granted bail vide Annexure-3 to
the present application.

Allegation against the accused persons is of committing torture



and caused death of the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 19-07-2015. The petitioner has remained in custody for four and a half years and there is no chance of the trial being concluded in near future as it is evident from the report, submitted by the trial court. There is no eye witness to the alleged occurrence nor there is any specific overt act alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 learned Additional Sessions Judge-II, Jamui in connection with Sessions Trial No. 36 of 2016 arising out of Chakai P.S. Case No. 09 of 2013 .

(Sudhir Singh, J)

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