

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67806 of 2019**

Arising Out of PS. Case No.-450 Year-2017 Thana- DARBHANGA SADAR District-
Darbhanga

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GUDDU MAHTO @ GUDDU KUMAR CHOUDHARY Son of Binod
Mahto @ Manoj Mahto Resident of Village - Gausaghat, P.S.- Darbhanga
Sadar, Distirct- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashankar Singh, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

3 24-08-2020 This matter has been taken up through Video
Conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 302/304/34 of the Indian
Penal Code.

Petitioner is husband of the victim of dowry death.

Petitioner is in custody since 18.12.2017. In the past
twice prayer for bail was refused with direction to the trial
Judge to expedite and conclude the trial. The trial has not
concluded as yet and there is no chance of early conclusion of
trial due to Covid effect.



In the circumstance, in my view, further detention of the petitioner as under trial prisoner is not required especially when there is no material to substantiate that the petitioner is not cooperative to the trial or going to tamper with the evidence.

Hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with S.T. No.183 of 2018, arising out of Darbhanga Sadar P.S. Case No.450 of 2017, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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