

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18446 of 2021

Arising Out of PS. Case No.-375 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

ARVIND KUMAR Son of Laxman Rai Resident of Village-Madhapur
Hazari, P.S.-Sahebganj, District-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 08-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Sessions Trial No. 24/2020 arising out of Sahebganj P.S. Case No. 375 of 2018 registered under Sections 304B and 34 of the Indian Penal Code.

The petitioner's prayer for bail was rejected on 02.06.2020 in Cr. Misc. No. 12464 of 2020, having regard to the fact that death of the victim had occurred in her matrimonial home and the petitioner being husband was considered



responsible for life and dignity of the victim. The prayer has been renewed.

Learned counsel for the petitioner submits that there is no progress at the trial. By now petitioner has remained in custody for nearly three years.

The Court in the circumstances called for a report. Report received from Additional Sessions Judge-XVI, suggests that the prosecution has not examined any witnesses at the trial till date.

Learned APP has opposed the prayer for bail.

Considering the facts, circumstances, report and submission, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 16th Addl. Sessions Judge, Muzaffarpur in Sessions Trial No. 24/2020 arising out of Sahebganj P.S. Case No. 375 of 2018, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to



how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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