

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11508 of 2020

Arising Out of PS. Case No.-328 Year-2018 Thana- PALIGANJ District- Patna

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DHIRAJ KUMAR @ DHIRAJ KUMAR GUPTA @ DHIRAJ PRASAD Son
of Bachu Sao @ Bacchu Prasad Resident of Village - Khapura, P.S.- Paliganj,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Adv
For the Opposite Party/s : Mr.Ajay Kumar No.2, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 328,304B,302,34 of the
Indian Penal Code.

Petitioner is husband of the victim of dowry death.
Marriage was solemnized in the year 2012 and the death of the
wife of the petitioner was caused in October, 2018. Petitioner is
in custody since 05.10.2018.

In the past prayer for bail was refused on 03.05.2019
vide order at Annexure-1 with direction to the learned Trial
Judge to expedite and conclude the trial within 09 months.
Liberty was allowed to the petitioner to renew the prayer for
bail before the learned court below.



Learned counsel for the petitioner informs that charges have been framed on 22.10.2020, however, no prosecution witness has turned up till now. Petitioner is ready to cooperate with the trial.

Considering the facts aforesaid, there is no need for further detention of the petitioner as undertrial prisoner, 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 learned Court below where the case is pending in connection with S.Tr.No.932 of 2019(arising out of Paliganj P.S.Case No.328 of 2018), with following conditions:

(a) Both the bailors shall be 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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