

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25875 of 2020

Arising Out of PS. Case No.-204 Year-2017 Thana- RAFIGANJ District- Aurangabad

UMESH PRAJAPATI, S/o Nanhak Prajapati, Resident of Village - Jakhim,
P.O.- Jakhim, P.S. - Rafiganj, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

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

Petitioner is husband of the victim of dowry death.
Petitioner is in custody since 28.05.2018.

In the past, prayer for bail was refused on 11.06.2019
in Cr. Misc. No. 52528 of 2018, with direction to the learned
Trial Judge to conclude the trial preferably within a period of
nine months and petitioner was allowed liberty to renew the
prayer for bail, if the trial is not concluded within the aforesaid
period.

The report of the learned Trial Judge would reveal
that there is no chance of early conclusion of the trial as no



prosecution witness has turned up after 28.02.2020.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees 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 Sessions Trial No. 238 of 2018/270 of 2018 arising out of Rafiganj Police Station Case No. 204 of 2017, subject to the following conditions:-

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

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

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