

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 1013 of 2021**

Arising Out of PS. Case No.-119 Year-2019 Thana- FATEHPUR District- Gaya

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DINESH SINGH son of Raj Kumar Singh Resident of Village- Raghampur,
P.S. Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Bijendra Kumar, Advocate

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 17-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Fatehpur Police Station
(for brevity, *PS*) Case No 119 of 2019 instituted for the offence
punishable under Sections 114, 302, 120B/34 of Indian Penal
Code.

Earlier, the prayer for bail on behalf of the petitioner
(husband) was rejected under order dated 02.06.2020 passed in
Cr Misc No 12710 of 2020 (Annexure 1).

Learned counsel for the petitioner submits that as per
the report dated 05.02.2021 regarding stage of trial received
from the Court below, it is apparent that the records were
received in the trial Court on 14.08.2020, summons issued to



prosecution witnesses on 04.09.2020. There are nine prosecution witnesses. However, till 05.02.2021, no witness had been produced in Court on behalf of the prosecution. Petitioner continues to be in custody since 12.06.2019.

The learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I, Gaya in Sessions Trial No 518 of 2019 arising out of Fatehpur PS Case No 119 of 2019 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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