

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4007 of 2020

Arising Out of PS. Case No.-179 Year-2016 Thana- JAYNAGAR District- Madhubani

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ARBIND PASWAN Son of Sri Jiwach Paswan Resident of Village-Dullipatti,
P.S.-Jay Nagar, District-Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms. Namrata Mishra, Adv.
Mr.Ratanakar Jha, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

7 17-02-2021

Heard Ms. Namrata Mishra, learned counsel for

the petitioner and Mr. Md. Aslam Ansari, learned APP for the
State.

The petitioner seeks bail in connection with
Sessions Trial No. 349 of 2017 arising out of Jay Nagar P.S.
Case No. 179 of 2016 instituted for the offences under
Sections 304(B) /34 of the Indian Penal Code and Section
3 /4 of the Dowry Prohibition Act.

On 08.01.2021, this Court had called for a report
about the stage of the case from the Trial Court as the
petitioner has remained in jail since 14.09.2016. The report



has since been received. It indicates that out of eight witnesses, only four witnesses have been examined upto now and the Trial Court has also stated that if the rest of the four witnesses turn up, then the trial could be disposed of within two months.

The petitioner is in custody since 14.09.2016.

Regard being had to the period of custody of the petitioner and that during this period, the trial could not be concluded, I am inclined to release the petitioner on bail during the pendency of the trial subject to certain conditions.

The petitioner, above named, shall be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge -II, Madhubani, in connection with Sessions Trial No.349 of 2017 arising out of Jay Nagar P.S. Case No. 179 of 2016.

One of the bailors shall be a near relative of the petitioner. He shall participate in the trial and shall not absent himself on any occasion except with the prior



approval / permission of the Trial Court. His absence from the trial proceedings would entitle the Trial Court to proceed immediately for cancellation of his bail.

While furnishing bail bonds, the petitioner shall give his mobile telephone number as well as the mobile telephone numbers of his bailors, which shall be kept in operative condition till the conclusion of Trial.

The petitioner shall not leave the territorial confines of the Court which is trying his case. The petitioner shall also get his presence marked every week before the Officer -in-Charge of the concerned police station, preferably on each Monday. The Officer -in-Charge of the concerned police station shall not unnecessarily make the petitioner wait in the police station and shall immediately record his presence on his visiting to the police station.

The petition stands disposed of with aforesaid observation.

(Ashutosh Kumar, J)

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