

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8981 of 2022

Arising Out of PS. Case No.-196 Year-2017 Thana- DEEPNAGAR District- Nalanda

PANKAJ KEWAT Son of Teni Kewat Resident of Village- Patanbigha, P.S.-
Ishlampur, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Upendra Kumar, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-06-2022 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Sessions Trial No. 663 of 2017 arising out of Deepnagar P.S. Case No. 196 of 2017 registered under Section 302 of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected vide Annexure-1 series to the present application taking into account that the petitioner was husband of the deceased and within two and a half years of marriage, the deceased was done to death by the petitioner.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and he is languishing in custody since 26-06-2017. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case merely on



the basis of suspicion as he happened to be husband of the deceased. There is no eye witness to the alleged occurrence nor there is any specific allegation of overt act against this petitioner. There is no motive alleged against the petitioner for committing the alleged occurrence. By order dated 27-09-2019 passed in Cr. Misc. No. 29651 of 2019, the trial court was directed to conclude the trial preferably within a period of one year from the date of receipt/production of copy of the order. However, the trial has not progressed and there is no chance of conclusion of trial in near future.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

By order dated 23-02-2022, a report was called for regarding stage of the case. It has been reported that that out of ten prosecution witnesses, only five prosecution witnesses have been examined and there is no chance of the trial being concluded in near future and the petitioner has remained in custody approximately for five years.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Sessions Judge-Ist, Bihar Sharif, Nalanda in connection with Sessions Trial No. 663 of 2017 arising out of Deepnagar P.S. Case No. 196 of 2017.

The petitioner will cooperate during trial and he will remain present in court on each and every date fixed by the trial court. If the petitioner fails to appear on three consecutive dates, the trial court will be at liberty to cancel the bail bonds of the petitioner.

(Sudhir Singh, J)

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