

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13440 of 2022

Arising Out of PS. Case No.-48 Year-2020 Thana- GAYA MUFASIL District- Gaya

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Ramjee Pandey, Son of Shambhu Pandey @ Chamari Pandey, Resident of
Village- Sanaut, P.S.- Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-09-2022 Learned counsel for the petitioner shall remove all the

defects pointed out by the stamp reporter within three weeks

from today.

Heard learned counsel for the petitioner and learned
APP for the State.

This is the second attempt of the petitioner to obtain
bail in connection with Muffasil P.S. Case No.48/2020
(S.Tr.No.182 of 2021/82 of 2021) registered for the offences
under Sections 306/34 of the Indian Penal Code and Section 3/4
of the Dowry Prohibition Act. The petitioner has no criminal
antecedent. He is in custody since 11.02.2020.

Earlier the prayer for bail of the petitioner was
rejected vide order dated 13.07.2021 passed in
Cr.Misc.No.38709 of 2020 with a direction to the learned court



below to expedite the trial.

Learned counsel for the petitioner submits that the petitioner has remained in custody for three years eight months, till date not a single prosecution witness has been examined and the trial is not likely to be concluded in near future.

Learned APP for the State has though opposed the prayer for bail of the petitioner but does not dispute the aforesaid submission.

Having regard to the submission that the petitioner has remained in custody for three years eight months and till date not a single prosecution witness has been examined and the trial is not likely to be concluded in near future, there being no submission that the release of the petitioner at this stage is likely to result in tampering with the evidence or interfering with the course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-X, Gaya in connection with Muffasil P.S. Case No.48/2020 (S.Tr.No.182 of 2021/82 of 2021), subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Certified copy of the order will be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

