

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14496 of 2022

Arising Out of PS. Case No.-106 Year-2008 Thana- PUNPUN District- Patna

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DINESH PASWAN Son of Krishna Paswan Resident of Village- Chulhara
Chak, P.S.- Punpun, District- Patan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Sanjiv Sharan, Advocate
For the State : Ms. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-12-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B, 201 and 34 of the Indian Penal Code.

As per the prosecution case, the sister of the informant who was married to the petitioner herein was done to death on account of non-fulfillment of the demand of dowry and her dead body was thrown in the well.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason of his being the husband of the deceased. The earlier prayer for bail of the petitioner was rejected vide order dated 9.7.2020 (Annexure-1) and 28.7.2021 (Annexure-2). By order dated 28.7.2021 while rejecting the prayer for bail, liberty



was granted to the petitioner to renew his prayer for bail if the trial of the petitioner is not concluded within a period of 6 months. It is submitted that it has been more than 1 year 4 months since passing of the said order and there is no chance of the trial concluding in the near future.

A report was called for from the learned trial Court. As per the report received contained in letter no. 76 of 2022 dated 20.7.2022, charge has been framed and summons have been issued against the non-official witnesses for their examination.

At this stage learned counsel for the petitioner submits that as per oral instructions received no witness has been examined on behalf of the prosecution in the trial in the learned trial Court.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner, liberty granted to the petitioner in the earlier order of rejection vide order dated 28.7.2021 together with the contents of the report received from the learned trial Court according to which although charge has been framed, summons have been issued for examination of the non-official witnesses together with the



petitioner having remained in custody for over 3 years 9 months since 1.3.2019, the petitioner is directed to be enlarged on bail in connection with Session Case no. 658 of 2019 (arising out of Punpun P.S. Case no. 106 of 2008) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-II, Patna

(Partha Sarthy, J)

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