

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28436 of 2022

Arising Out of PS. Case No.-86 Year-2018 Thana- KHAJAULI District- Madhubani

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UMESH DAS @ UMESH KUMAR DAS Son of Rajendra Das R/O Village -
Sukki, P.S.- Khajauli, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-07-2022 Heard the parties.

This is second attempt for grant of regular bail on behalf of the petitioner in connection with Khajauli PS Case No. 86 of 2018 (CRI No. 1125 / 2018) registered under Section 304B / 34 of the IPC, charge sheet submitted under Section 302 / 34 of the IPC inasmuch as earlier bail application of the petitioner was dismissed vide order dated 19 / 10 / 2020 passed in Cr. Misc. No. 26851 / 2020 granting him liberty to renew his prayer for bail after one year from the date of order if the trial does not register any progress.

The petitioner is the husband and allegation against him is that the petitioner along with other accused persons killed



his wife for want of dowry.

This court while rejecting the bail application of the petitioner had granted him liberty to renew his prayer for bail after one year if the trial does not show any substantial progress. The petitioner is in custody since 22-10-2019 i.e. for about 02 year 09 months.

A report was called for vide order dated 22.06.2022 from the court below regarding the present status of the trial and in pursuance thereof learned Addl. District & Sessions Judge-IX, Madhubani has furnished the report vide letter no. 32 / 2022 dated 1st July 2022 and from perusal of the same it appears that out of eight charge sheet witnesses none of the witnesses has been examined and cross-examined and from the date of last rejection of the bail application by this court nothing has progressed.

In view of the aforesaid and the fact that the petitioner is in custody for more than 02 years 09 months, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Madhubani in connection



with Khajauli PS Case No. 86 / 2018 on the following
condition:-

(i) that the petitioner shall remain present on
each and every date during the course of trial and
in case of default on two consecutive dates on the
part of the petitioner, his bail bond shall liable to
be cancelled.

(Anil Kumar Sinha, J)

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