

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60008 of 2021

Arising Out of PS. Case No.-331 Year-2017 Thana- NAUBATPUR District- Patna

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RAJU RAM, S/o Baleshwer Ram R/o Village- Chesi Dhibra, P.S.- Naubatpur,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rishikesh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 12-01-2022 Heard Mr. Kaushal Kishore, learned counsel for

the petitioner and Mr. Ram Bilas Roy Raman, learned

APP for the State.

The petitioner is the husband of the deceased
and is being tried *vide* Sessions Trial No. 874 of 2019,
arising out of Naubatpur P. S. Case No. 331 of 2017
dated 19.10.2017 for the offences under Sections
304(B), 201, 302 and 34 of the Indian Penal Code.



He is in custody since 08.01.2018.

A report was called for on the last occasion about the stage of the case.

The report indicates that up till now only two witnesses have been examined. The court below has also referred to the difficulties faced by the trial court during the pandemic times. However, an assurance has been given by the court below that every process shall be applied for bringing the witnesses and attempt shall also be made for concluding the trial as early as possible.

The learned counsel for the petitioner, however, has pointed out that in all these years, only two witnesses have been examined viz the father and brother of the deceased, who have also not supported the prosecution case. They have not even been declared hostile.

Considering the afore-noted submission on behalf of the petitioner, this Court deems it appropriate to direct for release of the petitioner during the



pendency of trial, subject to certain conditions.

The petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II, Danapur, in connection with Sessions Trial No. 874 of 2019.

While admitting the petitioner to bail and accepting his bail-bonds, the trial court shall insist for an additional affidavit from the petitioner in which he shall disclose the number of the mobile telephone which he shall constantly keep in operative condition till the trial is concluded and a further undertaking that he shall participate in the trial on each and every date and his absence from the trial proceedings on two consecutive dates without obtaining the prior approval of the Trial Court shall render his bail liable to be cancelled. For the petitioner to move outside the territorial confines of the State of Bihar, he shall seek prior permission from the



trial court. In case of breach of any of the conditions,
the bail granted to the petitioner during the pendency of
the trial would be liable to be cancelled.

The petition stands disposed off.

(Ashutosh Kumar, J)

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