

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10235 of 2023

Arising Out of PS. Case No.-344 Year-2022 Thana- KONCH District- Gaya

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PAPPU BIND S/O RAMBABU BIND R/v- Sarbahda, P.S.- Konch, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 16-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.757 of 2023 (arising out of Konch P.S. Case no. 344 of 2022) registered under sections 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, the daughter of the informant who was married to the petitioner herein was assaulted for nonfulfilment of demand of dowry to the tune of Rs.1 lac and ultimately she was poisoned to death.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations are false and concocted. The trial has proceeded wherein the mother, father and the brother as also one another witness have been examined on behalf of the



prosecution and none of them have supported the prosecution case. There is no chance of the trial ending in the conviction of the petitioner and the petitioner undertakes to cooperate in the trial. He is in custody since 27.7.2022.

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

6. Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the contents of the deposition of the prosecution witness referred to above which has been brought on record in the supplementary affidavit filed on behalf of the petitioner wherein the mother, father as also the brother of the deceased have been examined and all have been declared hostile together with the petitioner having remained in custody since 27.7.2022, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.757 of 2023 (arising out of Konch P.S. Case no. 344 of 2022) 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 District and Sessions Judge-XII, Gaya.

7. It is directed that the petitioner shall cooperate in the trial in the learned trial Court and shall remain physically present in Court on each date of the trial. In case, the learned



trial Court is of the opinion that the trial is being delayed due to noncooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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