

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25488 of 2023

Arising Out of PS. Case No.-296 Year-2019 Thana- BIKRAM District- Patna

PINTU KUMAR, SON OF LATE SHUKUL PRASAD, R/O VILLAGE-
BIKRAM, P.S.- BIKRAM, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Bikram P.S.
Case No. 296 of 2019 registered for the offence punishable under
Sections 304B, 302 and 34 of the Indian Penal Code.

The petitioner has renewed his prayer for bail for the
4th time. There are 3 rejections earlier in *Cr. Misc. Nos. 21185 of*
2020, 58212 of 2021 and 20520 of 2022 vide orders dated
08.09.2020, 15.12.2021 and 17.08.2022 respectively.

The unnatural death of the petitioner's wife, which
was reported to have been caused due to asphyxia at her
matrimonial home, within seven years, and other ingredients of
the offence was considered by this Court while rejecting the
petitioner's prayer for bail on 17.08.2022.

Today, learned counsel for the petitioner submits that



the petitioner has remained in custody now since 08.09.2019, more than 3 years, whereas from perusal of the order dated 02.03.2023 whereby learned trial court has rejected the petitioner's prayer for bail, it is evident that not a single witness was examined till at least about a month back. Moreover, investigation is also complete and as such there is no chance of tampering of evidence. It is also submitted that the petitioner has got clean antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, period of custody and no progress at the trial, as also clean antecedent of the petitioner, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by learned counsel for the petitioner.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, III, Danapur, Patna, in connection with Bikram P.S. Case No. 296 of 2019, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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