

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30602 of 2023

Arising Out of PS. Case No.-176 Year-2020 Thana- JALE District- Darbhanga

GUDDU RAM Son of Bujhawan Ram Resident of village - Ghoghraha, P.S.-
Jale, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-07-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no. 146 of 2022 arising out of Jale P.S. Case no. 176 of 2020 registered under sections 304B of the Indian Penal Code.

3. As per the prosecution case, the daughter of the informant who was married to the petitioner in the year 2017 was tortured by the accused persons and was ultimately done to death.

4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 24.3.2022 (Annexure-1) passed in Cr. Misc. no. 54328 of 2021 mainly on the ground of the petitioner being the husband of the deceased. There is no eye witness to the alleged



occurrence. The petitioner is in custody since 21.1.2021 and inspite of his cooperating in the learned trial court there is no chance of the trial concluding in the near future.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. From perusal of the report contained in letter dated 24.5.2023 it transpires that two out of the five chargesheet witnesses have been examined. However, the report further states that bailable warrant of arrest has been issued against one non official witness and summons have been issued against Doctor and Investigating Officer for their examination.

7. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner, the trial having commenced in the learned trial court, the petitioner having remained in custody for more than two years since 21.1.2021 and from the report of the learned trial court as mentioned hereinabove it being evident that even the non official witness is not cooperating in the trial and bailable warrant of arrest have been issued for appearance in course of trial, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 146 of 2022 arising out of



Jale P.S. Case no. 176 of 2020 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 Sessions Judge X, Darbhanga

(Partha Sarthy, J)

Spd/-

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