

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33148 of 2022

Arising Out of PS. Case No.-88 Year-2020 Thana- MURLIGANJ District- Madhepura

Sanjeev Kumar Son Of Chalitar Mandal R/O Village- Bariyahi, P.S.-
Murliganj, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 27-04-2023 1. Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
2. Heard learned counsel for the petitioner and the learned APP for the State.
3. Petitioner seeks regular bail in connection with Sessions Trial No. 207/2021 arising out of Murliganj P.S. Case No. 88 of 2020 dated 14.03.2020 registered for the offence punishable under Section 304B/34 of the Indian Penal Code.
4. The main submissions advanced by petitioner's counsel are that the petitioner is husband of the deceased and he earlier preferred Cr. Misc. No. 36790/2020 which was rejected with a direction to the trial Court to conclude the trial of the



petitioner within a period of one year from the date of that order i.e. 01.02.2021 but the petitioner's trial is still running and in the present time only three prosecution witnesses out of eight witnesses, have been examined which shows lingering attitude of the prosecution to conclude the petitioner's trial and the petitioner has been languishing in jail for the last three years and has fair and clean antecedent.

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

6. Considering the above submissions and mainly the petitioner's custody period, his fair and clean antecedent and the prosecution's lingering attitude to conclude the petitioner's trial, in my opinion the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named-above be enlarged 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 Court concerned in connection with Sessions Trial No. 207/2021 arising out of Murliganj P.S. Case No. 88 of 2020.

(Shailendra Singh, J)

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