

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52591 of 2023

Arising Out of PS. Case No.-101 Year-2020 Thana- BHIMPUR District- Supaul

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PAPPU SAHNI @ PAPPU MUKHIYA SON OF SRI NIMALAL SAHANI
RESIDENT OF VILLAGE - JIWACHHPUR PS - BHIMPUR DISTT. -
SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 08-09-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 304(B)/34 of the Indian
Penal Code.
3. By order dated 09.08.2023, a report was called for
from the learned trial court i.e. learned Additional Sessions
Judge-IV, Supaul in connection with Sessions Trial No. 151 of
2021 arising out of Bhimpur P.S. Case No. 101 of 2020 that as
to why the trial has not been concluded.
4. The report was called for in view of the pleadings
made at para 21 of the bail application that four witnesses had
been examined up till 10.12.2021 and P.W. 5 was examined on
21.05.2022 and altogether four witnesses including the official



witnesses have to be examined and bailable warrants have been issued against rest of the witnesses.

5. A report has been received from the learned trial court and from perusal of the same, it appears that what was pleaded at para 21 of the bail application is correct as the report of the learned trial court contained in its letter dated 17.08.2023 records that out of nine witnesses only five witnesses have been examined.

6. Learned counsel for the petitioner submits that though this is not the stage for arguing the case on merit but then it is alleged that the wife of the petitioner was killed due to non-fulfillment of the dowry demand and he came to be implicated in a case under Section 304(B) of the Indian Penal Code when it was a case of suicide. It is further submitted that if bail is granted to the petitioner he will not abscond rather will cooperate in the trial on day-to-day basis.

7. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

8. Considering the submission of the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount



each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 151 of 2021 arising out of Bhimpur P.S. Case No. 101 of 2020.

9. However, if the learned trial court comes to a conclusion that petitioner, after his release, is trying to delay the trial of the case, in any manner, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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