

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53833 of 2023

Arising Out of PS. Case No.-113 Year-2020 Thana- KHIRI MORE District- Patna

INDAL PASWAN S/O TIMAL PASWAN R/O VILLAGE- PATAUNA, PS.
KHIRI MORE, DIST. PATNA Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 01-09-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in connection with Sessions Trial no. 99 of 2022 (arising out of Khiri More P.S. Case no. 113 of 2020) registered under sections 304B, 201 and 34 of the Indian Penal Code.

As per the prosecution case, the accused persons including the petitioner herein who happens to be the husband of the deceased tortured the daughter of the informant for non-fulfillment of the demand of dowry.

Learned counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide order dated 23.12.2022 passed in Cr. Misc. no. 17465 of 2022. It is further submitted that inspite of the petitioner having remained in custody since 29.6.2021 and cooperating in the trial there is no progress whatsoever in the learned trial Court. He undertakes to cooperate in the trial.

Heard learned APP for the State.

A report was called for from the learned trial Court. As



per the report contained in letter no. 174 dated 18.8.2023 of the A.D.J-III, Civil Court, Danapur, Sessions Trial no. 99 of 2022 with respect to the petitioner is pending for prosecution evidence.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material on record, the petitioner having remained in custody since 29.6.2021 ie for 2 year and the contents of the report received from the learned trial Court according to which inspite of the efforts made for securing the presence of prosecution witnesses, summons issued on 20.5.2022, bailable warrants on 9.6.2023 and thereafter directions being given to the learned APP, not a single witness has been turned up on behalf of the prosecution, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 99 of 2022 (arising out of Khiri More P.S. Case no. 113 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 III, Danapur, District Patna.

(Partha Sarthy, J)

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