

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67322 of 2023

Arising Out of PS. Case No.-43 Year-2020 Thana- DANAPUR District- Patna

Ashok Kumar, Son of Late Raja Ram Ray, R/o Village - Kharanja Road, ward no.11, P.S. - Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar, Advocate
		Mr. Rikesh Sinha, Advocate
For the Opposite Party/s	:	Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Danapur P.S. Case no. 43 of 2020, registered under sections 304B and 34 of the Indian Penal Code.

3. The earlier applications for bail of the petitioner were rejected vide orders dated 18.11.2021 (Annexure-P1) passed in Cr. Misc. no. 20504 of 2021 and dated 22.2.2023 (Annexure-P2) passed in Cr. Misc. no. 70161 of 2022.

4. As per the prosecution case, the daughter of the informant who was married to the petitioner herein was done to death for non-fulfillment of demand of dowry.

5. It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. In the last order of rejection dated 22.2.2023, liberty was granted to the petitioner who is in custody since 11.11.2020, to renew his prayer for bail if there is no substantial progress in the trial in the learned trial Court. Inspite of charge having been framed on 23.6.2023, no witness has been examined on behalf of the prosecution.

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

7. A report was called for from the learned trial Court. As per the report received contained in letter dated 12.10.2023, charge was framed on 23.6.2023 but no witness has been produced on behalf of the prosecution.

8. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the observations in the earlier order of rejection dated 22.2.2023, charge having been framed on 23.6.2023, no witness having been examined on behalf of the prosecution and the petitioner having remained in custody for about 3 years since 11.11.2020, the petitioner is directed to be enlarged on bail in connection with Danapur P. S. Case 43 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 District
and Sessions Judge Vth, Danapur, Patna.

(Partha Sarthy, J)

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