

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31025 of 2017

Arising Out of PS.Case No. -208 Year- 2015 Thana -BAKHRI District- BEGUSARAI

=====

1. Chandan Kumar Ray, S/o Bideshi Ray, Resident of Village Bakhri
Rampur, P.S. Bakhri, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Pradeep Narain Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 01-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
03.06.2016 in connection with S.T. No. 250/2017, arising out of
Bakhri P.S. Case No. 208 of 2015 for offences punishable under
Sections 304-B, 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, who
is grandfather of the deceased Rupam Kumari, is that she was
married to the petitioner in the year 2013 and was harassed and
tortured by the petitioner and in-laws for non-fulfillment of
demand of dowry and, subsequently, a telephone call came to the
mother of the deceased by the petitioner that her daughter has



consumed poison and while taking to the hospital she succumbed and the dead body was disposed off.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. In fact, a child was born out of the wedlock, which indicates that the relations were cordial and being the husband he has been falsely implicated. He submits that charges have been framed, but none of the witnesses have yet come for evidence although summons have been issued and petitioner is languishing in judicial custody for nearly 1½ years.

However, learned APP for the State opposes the prayer for bail stating therein that the informant's granddaughter has been killed and her body has been surreptitiously disposed off without information to the parental house of the deceased.

Earlier the petitioner had approached this Court for grant of bail in Cr. Misc. No. 51001 of 2016, which was rejected on 22.12.2016. A report was also called for from the learned court below regarding the stage of trial, which has been sent by the learned Addl. Sessions Judge-IV, Begusarai that charges have been framed on 13.06.2017 and summons have been issued against the prosecution witnesses and the matter is fixed for



evidence.

Learned counsel for the petitioner submits that none of the witnesses have yet been examined.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Addl. Sessions Judge-IV, Begusarai, in connection with S.T. No. 250/2017, arising out of Bakhri P.S. Case No. 208/2015, subject to the conditions that :

- (i) Both the bailors would be close relatives of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

