

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8286 of 2018

Arising Out of PS.Case No. -22 Year- 2016 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

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Chandan Giri Son of Late Krishna Giri, Resident of Village-Bidupur, P.S.-
Nalanda, District-Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha

For the Opposite Party/s : Mr. Md. Sufiyan

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 20-06-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has renewed the prayer for
bail in a case registered for the offences punishable under
Sections 342, 498A, 323, 504, 326, 307/34 of the Indian Penal
Code and Sections 3/4 of Dowry Prohibition Act but
subsequently Section 302 I.P.C. was also added.

The prosecution case as per the fardbeyan of
Sushma Kumari recorded by S.I. Prabha Kumari of Nalanda P.S.
on 14.02.2016 at 8.30 P.M. at Mausam Hospital is to the effect
that on 12.02.2016 at 1.00 P.M., the informant was eating left
over meal, which was snatched and given to the dog by her



mother-in-law. It is alleged that the mother-in-law used to assault the informant and had poured kerosene oil on her and had set her on fire. The informant fell unconscious and when she regained consciousness she found her in Mausam Hospital. It is also alleged that the husband also used to assault the informant at the instigation of mother-in-law. However, it was also stated by the informant that her mother-in-law never assaulted her in the presence of her husband. Subsequently, the informant succumbed to the injury.

It is submitted by learned counsel for the petitioner that the petitioner was not present in the house when the occurrence took place. The thrust of accusation is against the mother-in-law. The petitioner is languishing in custody since 03.05.2016 and there is no likelihood of conclusion of trial as no witness has been examined so far.

Learned APP submits that the husband of the informant, though, was not present in the house but he is the person who is responsible for protecting the informant.

The report of the learned Additional District & Sessions Judge-III, Nalanda at Biharsharif dated 08.05.2018 reflects that charges were framed on 24.04.2018 but out of nine charge-sheeted witnesses, not a single witness has been



examined. However, trial is likely to be concluded within a period of nine months.

Considering the fact that the thrust of accusation is against the mother-in-law and there is no likelihood of trial being concluded in near future, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-III, Nalanda at Biharsharif in connection with Sessions Trial No. 215 of 2018 arising out of Nalanda P.S. Case No. 22 of 2016.

The learned trial Court will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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