

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 13304 of 2020

Arising Out of PS. Case No.-315 Year-2018 Thana- KANKARBAG District- Patna

AJAY KUMAR Son of Nand Kishore Prasad Resident of Mohalla -
Chandmari Raod, Infront of Road No. 8, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 25-08-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Informant.

Petitioner, who is in custody, seeks bail in a case registered for the offence punishable under Sections 304(B), 34 of the Indian Penal Code.

Petitioner had earlier moved this Court for regular bail vide Cr. Misc. No. 78187 of 2018 which was rejected on 28.01.2019 with a direction to the trial court to conclude the trial within one year.

Informant has alleged in his fardbeyan that due to non-fulfillment of demand of dowry his sister was killed by the



petitioner and his family members.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case only on the basis of suspicion and demand of dowry is false and concocted. It has been further submitted that deceased committed suicide and it has come during investigation that the room of the deceased was found to be locked from inside and was broke opened. The cause of death has also been stated to be asphyxia. Similarly placed co-accused persons have been granted regular bail by a co-ordinate Bench of this Court as contained in Annexure-3 and 3/1. Petitioner has no criminal antecedent and is in custody since 05.05.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Sessions Trial No. 873 of 2019 arising out of Kankarbagh P.S. Case No. 315 of 2018 subject to the conditions that:-

(1) Bailors should be local having



sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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