

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24448 of 2020**

Arising Out of PS. Case No.-62 Year-2018 Thana- LAUKARIA District- West Champaran

Sunil Ram, aged about 31 years, Male, Son of Dasarath Ram, Resident of  
Village- Nayagaon, Rampur, P.S.- Laukariya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bakshi S.R.P. Sinha, Sr. Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      23-11-2020                      Heard Mr. Bakshi S.R.P. Sinha, learned senior counsel  
for the petitioner and Mr. Nawal Kishore Prasad, learned  
counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with  
Laukaria P.S. Case No. 62 of 2018 registered for the offence  
under Section 302, 304(b), 34 of the I.P.C.

This is second attempt for bail on behalf of the  
petitioner inasmuch as the bail application of the petitioner was  
earlier rejected vide order dated 07.08.2019 passed in Cr. Misc.  
No. 32475 of 2019.

The allegation against the petitioner as per fardbyan  
of the deceased is that on 15.06.2018 Dashrath Ram and Maya  
Devi i.e. father-in-law and mother-in-law respectively of the  
deceased poured kerosene oil on her body and sister-in-law i.e.



Sima Devi (Nanad) set her on fire leading to her death during the course of treatment.

Learned senior counsel for the petitioner submits that from perusal of the fardbyan / F.I.R. it would be evident that there is no allegation that the petitioner was present at the time when the co -accused allegedly set the deceased on fire. Learned counsel further submits that the petitioner is in custody since 17.11.2018 and other accused persons i.e. the father- in -law of the deceased as well as the mother- in- law of the deceased have been granted bail by this court. Learned counsel further submits that petitioner is in custody since 17.11.2018 and this court vide its earlier order dated 07.08.2019 had directed the trial court to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of 9 months from the date of order. This court vide its order dated 22.09.2020 had called for a report regarding the stage of the trial and in pursuance thereof report has been submitted by learned In-charge 1<sup>st</sup> Additional Sessions Judge, Bagaha, West Champaran and from perusal of the same it appears that charges have not yet been framed in the present matter.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the



fact that petitioner is in custody for more than 02 years and trial has not shown any progress despite direction of this court to expedite the trial and conclude it within a period of nine months, I am inclined to grant regular bail to the petitioner **after framing of charge**.

Accordingly, let the petitioner, above named, be released on regular bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Firoz Akram, learned J.M. 1<sup>st</sup>, Bagaha, West Champaran in connection with Laukaria P.S. Case No. 62 of 2018 on the following condition:-

*(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.*

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

praful/-

(Anil Kumar Sinha, J)

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