

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28516 of 2020

Arising Out of PS. Case No.-80 Year-2017 Thana- SATHI District- West Champaran

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TABREJ ALAM @ TABREJ ANSARI S/o Bismillah Ansari Resident of
Village-Belwa Sirisiya, P.S.-Sathi, District-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 18-12-2020 Heard Mr. Bimlesh Kumar Pandey, learned

counsel for the petitioner and Mr. Akshay Lal Pandit,

learned Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with

Sessions Trial No. 61 of 2019 arising out of Sathi P.S. Case

No. 80 of 2017 registered for the offences punishable under

Section 304B/34 of the Indian Penal Code 1860.

The allegation as per the First Information Report

is that the sister of the informant was married to the

petitioner in the year 2019 and, thereafter, the petitioner

along with other co-accused persons started demanding

dowry of Rs.2,00,000/- from the victim (since deceased)



and her family members. It has further been alleged that the petitioner along with other co-accused persons killed the sister of the informant by setting her on fire.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. However, the bail application of the petitioner was rejected by a co-ordinate Bench of this Court earlier vide order dated 28.6.2018 passed in Cr. Misc. 32032 of 2018. Learned counsel further submits that petitioner is in custody since 29.06.2017. Learned counsel referring to paragraphs 7 and 8 of this petition submits that on 3.10.2019 the evidence of prosecution as well as defence has already been completed and the case is fixed for argument of the prosecution side since 3.10.2019, but the final judgment in this case has not yet been passed for last more than one year. Learned counsel also submits that the petitioner has remained in custody for about 3 ½ years.

This Court vide order dated 11.11.2020 had called for a report from the learned trial court and in pursuance thereof, the report vide letter dated 23.11.2020 has been furnished and from perusal of the same, it appears that the



evidence of both sides have now been completed and the case is fixed for argument.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that petitioner is in custody since 29.6.2017 and there is no likelihood that the petitioner will abscond or tamper with the evidence at this stage, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, 4th, Bettiah, West Champaran, in connection with Sessions Trial No. 61 of 2019 arising out of Sathi P.S. Case No. 80 of 2017 subject to the following conditions:-

(i) that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(ii) that the petitioner will file an affidavit giving undertaking that he



*will not leave the country without
permission of the court and submit his
passport in the court below, if any.*

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

(Anil Kumar Sinha, J)

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