

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52365 of 2019

Arising Out of PS. Case No.-246 Year-2017 Thana- PIRPAINTI District- Bhagalpur

BAMBAM RAI S/o Chhatu Rai R/o village- Basantpur, P.S.- Pirpaity,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 09-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody seeks bail in a case
registered under Sections 304(B), 201 and 34 of the Indian
Penal Code.

Informant has alleged in his written complaint that her
daughter was married to petitioner and thereafter she was being
tortured for non-fulfillment of demand of dowry and on
09.09.2017 petitioner called informant that her daughter is very
serious and to come immediately. Her daughter was pregnant
and she was cremated without informing him.

It has been submitted on behalf of petitioner that he is
innocent and has been falsely implicated in this case only on
suspicion. The victim died in a rail accident and demand of



dowry and torture is false and concocted. From the order dated 12.06.2019 by which the bail application was rejected by the Sessions Judge, it appears that charges have been framed on 27.03.2018 but thereafter no witnesses have been examined on behalf of prosecution and even after issuance of summons they are not turning up to depose. Petitioner has no criminal antecedent and is in custody since 12.09.2017.

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 S.T. Case No. 125/2018 (Arising out of Pirpainty P.S. Case No. 246 of 2017) 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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