

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59494 of 2019

Arising Out of PS. Case No.-98 Year-2016 Thana- KADIRGANJ District- Patna

Ranjeet Kumar, Son of Rajdeo Prasad, Resident of Village - Pokhar Par, P.S.-
Kadirganj, Distt - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 16-06-2020 The matter has been taken up through virtual Court proceeding.

Heard Mr. Dhirendra Kumar Sinha, learned counsel for the petitioner and Mr. J.N. Thakur, learned APP for the State.

The petitioner, being the husband of the victim, has renewed the prayer for bail 3rd time in connection with a case registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

The prosecution case, as per the written report of Rajballabh Prasad submitted to the Station House Officer, Kadirganj Police Station, is to the effect that the daughter of the informant, Kiran Devi was married with the petitioner, Ranjeet Kumar in 2013, but subsequent to the marriage, there was demand of a gold chain and a motorcycle as dowry and for non-



fulfillment of the same, the torture was inflicted upon the daughter of the informant. Earlier a Complaint Case No. 129C of 2016 was filed but ultimately the issue was resolved on the basis of compromise between the parties and the daughter of the informant started residing with the petitioner. It is further alleged that on 10.12.2016, the informant came to know that his daughter has been killed and dead body has been disposed of, leading to registration of the present case.

It is submitted by learned counsel for the petitioner that after three years of the marriage, the demand of further dowry appears to be unreasonable and unbelievable. The petitioner's earlier prayer for bail was rejected by Co-ordinate bench of this Court vide order dated 11.07.2018 passed in Cr. Misc. No. 31200 of 2018 with liberty to the petitioner to renew the prayer for bail, if the trial will not be concluded within a period of one year. The report of the learned trial Court dated 28.11.2019 reflects that out of 8 witnesses, 4 witnesses have been examined. It is further submitted that there is no progress in the trial and there is no likelihood of trial being concluded in near future due to present pandemic, COVID-19 as the physical court is not functional. The petitioner is languishing in custody since 21.02.2017. It is further submitted that the petitioner is



ready to undertake to appear during trial on each and every date.

Learned counsel for the State, however, submits that the petitioner is the husband of the victim, thrust of accusation is against him and earlier twice prayer for bail of the petitioner has been rejected.

Considering the fact that that earlier prayer for bail of the petitioner was rejected with liberty to renew the prayer for bail, if the trial will not be concluded within a period of one year, since the order was passed on 11.07.2018 and about two years have passed, but the trial has not been concluded and due to present pandemic, COVID-19, the physical court is not functional, the trial is not likely to be conducted in near future, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Additional Sessions Judge-XIII, Patna in connection with Sessions Trial No. 566 of 2017, arising out of Kadirganj P.S. Case No. 98 of 2016.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be



transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Additional Sessions Judge-XIII, Patna in connection with Sessions Trial No. 566 of 2017, arising out of Kadirganj P.S. Case No. 98 of 2016.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

However, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if the petitioner defaults for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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