

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79826 of 2019

Arising Out of PS. Case No.-222 Year-2016 Thana- AAJAM NAGAR District- Katihar

MANOHAR LAL @ MANOHAR RAI @ MANOHAR ROY, aged about 26 years, Sex-Male, Son of Late Kulesh Rai, Resident of Village- Azamnagar Harijan Tola, P.S.- Azamnagar, District- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanchay Srivastava, Advocate.
For the Opposite Party : Mr.Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-05-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences under Sections 304(B) and 120(B)/34 of the I.P.C.

The prosecution case, in short, is that the accused persons including the petitioner killed the niece of the informant due to non-fulfilment of demand of dowry.

Earlier bail applications of the petitioner was rejected vide Cr. Misc. No. 39346 of 2017 under order dated 01.09.2017,



Cr. Misc. No. 53542 of 2018 under order dated 19.09.2018 and Cr. Misc. No. 8496 of 2019 under order dated 27.03.2019 by the then Co-ordinate Bench of this Court annexed as Annexures-3, 2 and 4 to the present application with a direction to conclude the trial within a period of nine months. In spite of repeated directions, the trial is still pending before the trial court.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.08.2016 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has remained in custody for more than 3 ½ years.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Additional Sessions Judge-III, Katihar in connection with Sessions Trial No. 50 of 2018, arising out of Azamnagar P.S. Case No. 222 of 2016.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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