

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12481 of 2021

Arising Out of PS. Case No.-130 Year-2013 Thana- SAHEBGANJ District- Muzaffarpur

KRISHNA DAS Son of Chalitar Das @ Charittar Das Resident of Village -
Madhurapur, P.S.- Sahebganj, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Sahay Jamuar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B and 201 of the Indian Penal Code.

As per the prosecution case, the sister of the informant was married to the petitioner herein. It is stated that the accused persons who were making demand of dowry to the tune of a motorcycle etc and for non-fulfillment of the same, it appears that she was killed and her body was made to disappear.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason of his being the husband of the deceased. The informant was examined as a prosecution witness in course of trial and has not supported the prosecution case. He has



categorically stated about getting knowledge about the death of his sister as a result of illness. The other accused persons have been enlarged on bail, one of the orders of which has been brought on record as Annexure 4 to the petition. The petitioner is in custody since 20.9.2020 and undertakes to cooperate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the petitioner having remained in custody for 1 year 3 months and the contents of the deposition of the informant in the trial in the learned Court below, the Court directs the petitioner to be enlarged on bail in connection with Sahebganj P.S. Case no. 130 of 2013 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M -I (West), Muzaffarpur.

In view of the trial having proceeded, it is directed that the petitioner shall cooperate in the trial and shall remain present in Court on each date of the trial. In case of the petitioner's absence on any date for reasons not to the satisfaction of the learned Trial Court or in case the learned Trial



Court is of the opinion that the trial is being delayed due to conduct of the petitioner, the learned Trial Court will be at liberty to cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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