

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53479 of 2021

Arising Out of PS. Case No.-37 Year-2019 Thana- RAXAUL RAIL P.S. District- West
Champaran

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SALEEM ANSARI Son of Ummat Ansari @ Ummat Miyan Resident of
Village Yamuna Nagar, Ward no. 13, P.S. Addapur, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-11-2021 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case the petitioner was done to death for non-fulfillment of the demand of dowry.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 12.3.2021 (Annexure 1) passed in Cr. Misc. no. 40972 of 2020. Learned counsel further submits that from perusal of the FIR it would transpire that even as per the allegations levelled by the informant, it would be a case under section 306 of the IPC. It is further submitted that co-accused Amna Khatoon has been enlarged on bail vide order dated 1.7.2021 (Annexure 4) passed in Cr. Misc. no. 37906 of 2020.



The petitioner is in custody since 31.7.2019 and there is no chance of the trial concluding in the near future.

Heard learned APP for the State.

A report was called for from the learned Court below. As per the report received contained in letter dated 15.10.2021 from the In-Charge Judicial Magistrate, Railway, Narkatiyaganj at Bettiah, West Champaran, cognizance was taken in the case on 18.10.2019 and the Court having remained vacant since 16.12.2019, there is no progress in the Court below.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioner having remained in custody since 31.7.2019 and there being no chance of the trial concluding in the near future, the Court having remained vacant for more than 2 years, the Court directs the petitioner to be enlarged on bail in connection with Raxaul Rail P.S. Case no. 37 of 2019 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 Judicial Magistrate, Railway, Narkatiyaganj at Bettiah,

(Partha Sarthy, J)

Prakash/-

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