

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3046 of 2021

Arising Out of PS. Case No.-159 Year-2018 Thana- PARBATTa District- Khagaria

BANSIDHAR MISHRA Son of Krishnanand Mishra Resident of Village-
Bela Bharat Khand, P.S.- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2021 Heard both parties.

The petitioner seeks bail in Parbatta (Bharatkhand)
P.S. Case No. 159 of 2018 corresponding to Sessions Trial No.
01 of 2020, registered for the offence punishable under Section
304B of the Indian Penal Code.

Earlier bail application of the petitioner was rejected
twice vide orders dated 03.05.2019 and 06.11.2019. This is third
attempt.

It is submitted that after investigation, the police has
submitted chargesheet under Section 306 IPC against this
petitioner and other co-accused and learned ACJM Ist Khagaria
also took cognizance under Section 306 IPC. Charges has
already been framed and four prosecution witnesses have
already been examined out of them two witnesses have been
declared hostile by the prosecution. Two witnesses in their



cross-examination have stated that the deceased died due to burn injury while she was cooking food. Petitioner is in custody since 22.05.2019 and bears no criminal antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge Vith, Khagaria in connection with Parbatta (Bharatkhand) P.S. Case No. 159 of 2018 corresponding to Sessions Trial No. 01 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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