

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5866 of 2021

Arising Out of PS. Case No.-203 Year-2018 Thana- CHHATAPUR District- Supaul

BAJRANG LAL CHOUDHARY SON OF LATE MISHRI LAL
CHOUDHARY R/O VILLAGE- SURYAPUR, P.S.- CHHATAPUR,
DISTRICT- SUPAUL.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 14-07-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Chhatapur PS Case No. 203 of 2018, S.T. No. 213 of 2019 registered under Sections 341, 323, 307, 319, 498A, 504, 506/34 and 302 of the IPC.

Petitioner's prayer for bail had earlier been rejected on 14.8.2019 in Cr. Misc. No. 37631 of 2019. The informant (since deceased) had lodged the FIR in the year 2018 alleging that she was tortured in her sasural by the petitioner and other family members for demand of dowry.

Learned Counsel for the petitioner submits that from the FIR itself it is apparent that the marriage was solemnised in the year 1998. Having regard to the allegation that the victim had been killed by setting her ablaze in the matrimonial home, this Court had



directed the trial court to expedite the trial and to conclude the same within a period of nine months while rejecting the petitioner's application on 14.8.2019. The court had called for a report on the last date. The report of the trial court is that none of the charge sheet witnesses have been examined until now in spite of the fact that the office had issued bailable warrant to all the charge sheet witnesses and that the record was sent to the APP for want of evidence. The report is manifest of no progress at the trial. The petitioner is in custody now since 28.1.2019.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge, VI, Supaul in Chhatapur PS Case No. 203 of 2018, S.T. No. 213 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

U		T	
---	--	---	--

