

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13305 of 2022

Arising Out of PS. Case No.-10 Year-2018 Thana- ATRI District- Gaya

Chandan Das, Male, aged about 25 years, S/O Inddradeo Das, R/o village-
Mohammadpur, P.S.- Atri, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Virendra Prasad, Advocate
For the Opposite Party : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defect (s), as pointed out by the office, within a
period of four weeks.

The petitioner seeks bail in connection with Atri P.S.
Case No. 10 of 2018 registered for the offence under Sections
304(B) and 201/34 of the Indian Penal Code.

The prosecution, in brief, is that the petitioner
committed torture and thereafter caused death of the victim due
to non-fulfilment of demand of dowry.

Earlier bail applications of the petitioner were rejected
vide Cr. Misc. No. 234 of 2019 under order dated 07.05.2019
and Cr. Misc. No. 26784 of 2020 under order dated 28.01.2021,



annexed as Annexures-1 and 2 to the present application taking into account that the petitioner is the husband of the deceased and the onus is upon him to explain the cause of death of the deceased.

This is third attempt on behalf of the petitioner for grant of bail.

A report was called for from the court below regarding the present stage of the case. It has been reported that out of seven prosecution witnesses, only one prosecution witness has been examined till date.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.04.2018. He has remained in custody for more than four years. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no chance of trial being concluded in near future.

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

Considering the period of custody, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Additional District and Sessions Judge-IV, Gaya in connection with Atri P.S. Case No. 10/18 (G.R. No. 394/2018, S.Tr. No. 138/18/556/18).

The petitioner shall co-operate during the trial. If he fails to appear on two consecutive dates, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

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