

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34647 of 2021

Arising Out of PS. Case No.-504 Year-2019 Thana- MINAPUR District- Muzaffarpur

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KESHAV KUMAR S/O MAHESH SAH R/O VILLAGE CHAKJAMAL,
P.S-MINAPUR, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Adv. Dr. Bipin Chandra, Adv.
For the Opposite Party/s	:	Mr. Anil Kumar Singh no.1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant, who was married to the petitioner, was tortured and done to death by the five named accused persons including the petitioner herein.

It is submitted by learned senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. The allegations are incorrect. Referring to the deposition of the witnesses examined in course of trial, copies



of which have been brought on record in a supplementary affidavit, it is submitted that an independent witness as also the father and brother of the deceased have not supported the prosecution case and thus there is no chance of the conviction of the petitioner. The petitioner undertakes to cooperate in the trial. He is in custody since 24.12.2020 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner being in custody for more than 1 year and specially the deposition of the prosecution witnesses in course of trial, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.131 of 2021 (arising out of Minapur P.S. Case no.504 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 Additional Sessions Judge XVIII, Muzaffarpur.

In view of the fact that the trial is proceeding, it is directed that the petitioner shall remain physically present in Court on each date of the trial and in case of the petitioner's absence on two consecutive dates for reason not to the



satisfaction of the learned trial court, the learned trial court may
cancel the bail bond of the petitioner and take him into custody
till conclusion of the trial.

(Partha Sarthy, J)

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