

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14010 of 2023

Arising Out of PS. Case No.-761 Year-2020 Thana- KANTI District- Muzaffarpur

Daya Shankar @ Daya Shanker Son Of Raj Kumar Ram R/O Village-
Damodarpur, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bipin Chandra, Adv.

For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

8 01-09-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Kanti P.S. Case No. 761 of 2020 dated 28.12.2020, lodged under
Sections 341, 326, 307/ 34 of the I.P.C. read with Section 3/4 of
the Dowry Prohibition Act and later on Section 302 of the I.P.C.
has been added.

4. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 14.11.2022 passed in Cr. Misc. No. 26568 of 2022
in which liberty was granted to him to renew his prayer for bail
9 months after framing of charge.

5. Learned counsel for the petitioner further submits that the charge has already been framed in this case on 17.12.2021 and 9 months have been lapsed.

6. Learned counsel for the State opposes the prayer for bail and submits that it is correct that the charge has already been framed in this case.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. (West), Muzaffarpur in connection with Kanti P.S. Case No. 761 of 2020, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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