

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27075 of 2023

Arising Out of PS. Case No.-100 Year-2020 Thana- GUTHANI District- Siwan

Alok Kumar @ Chandan Kumar, Son of Umesh Tiwari, R/O Village- Daraila,
P.S.- Guthani, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 28-06-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant
of regular bail in connection with Session Trial No. 27 of 2021
arising out of Guthani P.S. Case No. 100 of 2020, G.R. Case No.
1734 of 2020 dated 15.05.2020 registered for the offences
punishable u/s 304B read with Section 34 of the Indian Penal
Code.

As per the prosecution case, the petitioner and the co-
accused persons are alleged to have tortured and caused death of



the informant's daughter due to non-fulfillment of demand of dowry, who was married to the petitioner as per Hindu rites and custom.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither demanded dowry nor tortured the deceased. He has further submitted that the co-accused person has already been granted bail by the Coordinate Bench of this court vide order dated 15.07.2021 passed in Cr. Misc. No. 8297 of 2021. Learned counsel has further submitted that the trial has not been concluded within the period of nine months as directed by this Court vide order dated 22.08.2022 passed in Cr. Misc. No. 15672 of 2022 with an observation that if the trial is not concluded within a period of nine months, the petitioner may renew his prayer for bail. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 31.07.2020.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the prayer of bail of the petitioner has already been rejected on merit by this Court vide order dated 22.08.2022 passed in Cr. Misc. No. 15672 of 2022.



Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Session Trial No. 27 of 2021 arising out of Guthani P.S. Case No. 100 of 2020, G.R. Case No. 1734 of 2020 with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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