

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49061 of 2023

Arising Out of PS. Case No.-398 Year-2021 Thana- TARAIYA District- Saran

Manoj Ram S/O Chhathilal Ram R/O Village- Dewari, Ps. Taraiya, Dist. Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 15-09-2023 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.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 472/2022 arising from Taraiya P.S. Case No. 398/2021 dated 04.12.2021 registered for the offence punishable under Sections 498A and 304B read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have committed the murder of the victim Pushpa Devi by hanging her due to non-fulfillment of



demand of Rs. 2 lacs as dowry.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Charge-sheet has already been framed against the petitioner. The petitioner neither tortured nor demand any dowry from the deceased. Learned counsel further submitted that two witnesses out of five witnesses have been examined. Learned counsel further submitted that Court below has submitted that for the first time the said case was placed before the Additional District and Sessions Judge-V, Saran at Chapra, so the trial has not been concluded at the given time. It is further submitted that the conclusion of trial will take some more time. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.03.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that earlier the bail of the petitioner was rejected by this Court *vide* order dated 08.09.2022 passed in Cr. Misc. No. 20933 of 2022 with direction to conclude the trial within a period of nine months.

7. 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, Saran at Chapra in connection with Sessions Trial No. 472/2022 arising from Taraiya P.S. Case No. 398/2021, with the condition :-

(i). 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, the bail bond of the petitioner is liable to be cancelled.

8. However, the trial Court is further directed to expedite the trial and conclude the same within 6 months.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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