

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12488 of 2024

Arising Out of PS. Case No.-177 Year-2022 Thana- LALGANJ District- Vaishali

Chandan Ram S/o Ramji Ram, R/o Vill - Madhurapur Kushdey, P.S. -
Lalganj, Dist. - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Vijay Kumar, Advocate
For the Opposite Party : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 10-05-2024 Heard Mr. Vijay Kumar, the learned counsel for the

petitioner and Ms. Pushpa Sinha 1, the learned Additional

Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
27.06.2022, in connection with STR No. 530 of 2023, arising
out of Lalganj P.S. Case No. 177 of 2022, FIR dated 15.05.2022,
registered for the offences punishable under Sections 304(B),
302 and 498(A) of the Indian Penal Code.

3. Earlier the petitioner has moved before this
Hon'ble Court in Cr. Misc. No. 8497 of 2023, which was
rejected vide order dated 11.07.2023.

4. According to the prosecution case, the daughter of
the informant was subjected to regular abuse and torture by her
in-laws due to non-fulfillment of dowry demand. It is further



alleged that the informant was informed telephonically that his daughter has been killed by her in-laws by strangulating her neck, and when he reached her daughter's matrimonial home, he found her dead body and none of her in-laws were present.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that petitioner is husband of the deceased. He further submits that upon perusal of the FIR it appears that there is no specific allegation, rather there is general and omnibus allegations against all the accused persons including the petitioner and as per allegation in the FIR, the accused persons have committed murder of the daughter of the informant by strangulating her neck.

6. Vide order dated 16.02.2024, a report was called for with regard to the stage of the trial and report dated 22.04.2024 of the learned trial Court reveals that charge has been framed on 21.09.2023 and altogether thirteen witnesses are mentioned in the chargesheet and till date prosecution has not examined any witnesses as yet.

7. Learned counsel for the petitioner submits that in view of the report of the learned trial Court, there is no chance



of early conclusion of the trial in near future and the petitioner is in custody since 27.06.2022.

8. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent, the report of the learned trial Court as well as the petitioner's period of custody, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Vaishali at Hajipur, in connection with **Lalganj P.S. Case No. 177 of 2022**, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(ii). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

(iii). And further condition that the trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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