

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15809 of 2024

Arising Out of PS. Case No.-293 Year-2021 Thana- KHIJARSARAI District- Gaya

Anand Mohan @ Rahul Kumar Son Of Ram Janam Sharma Resident Of
Village - Mai, Police Station - Khizarsarai, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier, the bail application of the petitioner was dismissed as withdrawn by this Court vide order dated 15.05.2023 in Cr. Misc. No. 69764 of 2022 with a direction to learned trial Court to conclude the trial within the stipulated period of time as per the progress report dated 04.05.2023 which suggests that trial would be concluded within a period of six months failing which, the petitioner would be at liberty to renew his prayer for bail.

3. The petitioner has prayed for regular bail in this case in connection with Khizarsarai P.S. Case No. 293 of 2021 for the offence under Sections 363, 304(B) and 201 of the Indian Penal Code.



3. It is a case of dowry death of the informant's sister due to non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Petitioner is husband of the deceased due to which he has falsely been implicated in this case. It is further submitted from para-10 of this petition that in the present case till now, three witnesses have been examined including the informant Sanjeev Kumar , who has been examined as P.W.-1 and on perusal of the deposition of the informant, in which he said that his sister was ill and during the treatment, she died and as such he turned hostile. Similarly, the other two witnesses have also been turned hostile in their deposition and in support of these, Annexure-P/3 series have been annexed in this petition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent and he is languishing in judicial custody since 11.10.2021.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the



petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khizarsarai P.S. Case No. 293 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Gaya with a condition:-

(I) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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