

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33305 of 2024

Arising Out of PS. Case No.-304 Year-2019 Thana- KADWA District- Katihar

Ranjeet Kumar Rai @ Ranjeet Kumar Ray @ Ranjeet Kumar Roy, aged about 47 years (Male), Son of Yugal Kishor Ray, Resident of village-Kaithama, Near Chandika Sthan, Ward No. 19, P.O- Badalpura, P.S.- Begusarai (Muffasil), District -Begusarai, Bihar-851129, presently residing at Gandhinagar, Sonaili, P.S.-Kadwa, District-Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Devashish Giri, Advocate
For the Opposite Party : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 03-07-2024 This matter has been listed under the heading 'For Orders (on office notes)'.

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

3. The petitioner seeks bail in connection with Kadwa P.S. Case No. 304 of 2019 dated 31.12.2019 registered for the offences punishable under Sections 302, 304B, 498A, 504, 506 of the I.P.C., Section 3/4 of the D.P. Act and Section 37(b) of the Bihar Prohibition and Excise Act, 2016 in which after investigation, charge sheet has also been submitted against the petitioner in the aforesaid same sections.

4. As per the prosecution case, the petitioner is alleged



to have committed murder of the informant's daughter in a drunken state due to non-fulfilment of demand of dowry.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is the husband of the deceased. It is submitted that the petitioner had never demanded any dowry from the deceased nor committed murder of the informant's daughter. It is further submitted that the relationship between the parties was cordial, benevolent and peaceful. The informant is not an eye witness to the alleged offence. The petitioner was not present in the house during the relevant time as he was in the market from where he was arrested by the police. No incriminating article has been recovered from possession of the petitioner. The petitioner was not in drunken condition on the alleged date and time of the occurrence but such allegation has been made only for the purpose of giving credence to the prosecution story and to implicate the petitioner in the present case. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 02.01.2020.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the



petitioner.

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 A.D.J.-II-cum-Special Judge, Katihar or successor court in connection with Kadwa P.S. Case No. 304 of 2019 with further 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 bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

9. The trial court is directed to expedite the trial of the petitioner at the earliest.

(Chandra Prakash Singh, J)

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