

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34269 of 2024

Arising Out of PS. Case No.-443 Year-2022 Thana- BIHTA District- Patna

Sunny Kumar @ Lukky Kumar son of Late Sanoj Singh, Resident of Village-
Ghordaur, P.S.- Punpun, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 22-11-2024 Heard Mr. Manoj Kumar Singh, the learned
counsel for the petitioner and Mr. Ramchandra Sahni, the
learned Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
23.05.2022, in connection with Bihta P.S. Case No. 443 of 2022,
FIR dated 10.05.2022, registered for the offence punishable
under Section 304(B) read with Section 34 of the Indian Penal
Code.

3. Earlier the petitioner has moved before this
Hon'ble Court for grant of anticipatory bail in Cr. Misc. No.
22164 of 2023, which was rejected vide order dated 26.07.2023.
Thereafter, he again moved before this Hon'ble Court for grant
of regular bail in Cr. Misc. No. 23375 of 2024, which was
withdrawn with liberty vide order dated 20.03.2024.

4. According to the prosecution case, the daughter of



informant was subjected to torture and abuse by her in-laws over non-fulfillment of dowry demand. It is further alleged that the in-laws of informant's daughter committed her murder.

5. Vide order dated 21.06.2024, a report was called for with regard to the stage of the trial and report dated 18.07.2024 of the learned trial Court reveals that charge was framed against the petitioner on 22.02.2023 and in the present case altogether four witnesses have been cited in the chargesheet, but despite of issuance of non-bailable warrant against the witnesses, no witness has been examined as yet.

6. 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 23.05.2022.

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

8. Considering the aforesaid facts and circumstances as well as the report of the learned trial Court, 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-V, Danapur, Patna, in connection with **Bihta**



P.S. Case No. 443 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 learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned 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 learned 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 learned 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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