

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31272 of 2023

Arising Out of PS. Case No.-48 Year-2020 Thana- CHENARI District- Rohtas

PRAMOD SHARMA S/O LATE RAJU SHARMA R/O Village- Doinya, P.S-
Chenari, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh No.10, Advocate.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

9 23-08-2024 Heard Mr. Sunil Kumar Singh No.10, learned
counsel appearing on behalf of the petitioner and Mr.
Umeshnand Pandit, learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chenari P.S. Case No. 48 of 2020 for the offence punishable
under Section 304(B)/34 of the Indian Penal Code.

3. Allegation is of demand of dowry and causing
death for non-fulfillment of the same. Petitioner along with
other family members used to subject the victim to cruelty and
harassment and for non-fulfillment of the demand of dowry, the
deceased who is wife of the petitioner was strangled to death.
The same is confirmed by the opinion of the doctor who had
conducted the autopsy.

4. Learned counsel appearing on behalf of the
petitioner submitted that earlier prayer for bail of the petitioner



was rejected vide order dated 08.03.2022 and now the petitioner has renewed his prayer for bail who is in custody since 30.03.2020. He further submits that as per the report dated 20.07.2024 submitted by the Additional Sessions Judge-III, Rohtas at Sasaram, out of seven witnesses, only three prosecution witnesses have been examined. The total period of custody the petitioner has suffered is 4 years 5 month and there is no one to look after his four years old child.

5. Considering the aforesaid development which has taken place during the pendency of the present bail application, I find it not to go into merits of the case, as I have already passed order dated 08.03.2022 passed in Cr. Misc. No. 42432 of 2021.

6. In the changed circumstances, the petitioner who is the husband of the deceased is having a small child aged about 4 years and in this regard, he has made specific statement in Para-5 of the supplementary affidavit and seeks that the petitioner be released on bail considering the period of custody and the progress of trial.

7. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each



to the satisfaction of the learned Sub-Judge-X cum A.C.J.M.,
Sasaram, Rohtas in connection with Chenari P.S. Case No. 48 of
2020, subject to the condition that on default of any date to
appear before the trial court, the bail bonds of the petitioner will
be cancelled automatically.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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