

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41925 of 2024

Arising Out of PS. Case No.-383 Year-2022 Thana- NOKHA District- Rohtas

Nousad Ansari Son Of Kadir Ansari Resident Of Village - Kadwan, P.S. -
Nokha, District - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate
For the State : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-07-2024 Heard Mr. Babu Nandan Prasad, learned counsel for
the petitioner and Mr. Aditya Narayan Singh.1, learned APP
appearing on behalf of the State.

2. The petitioner seeks bail in connection with S.Tr.
No. 143 of 2024 arising out of Nokha P.S.Case No.383 of 2022,
FIR dated 04.10.2022 registered for the offences punishable
under Section 304(B) and 34 of the Indian Penal Code.

3. The prosecution case, the petitioner along with his
family member tortured and killed the niece of the informant
due to non-fulfillment of demand of dowry after marriage.

4. Learned counsel for the petitioner submits that
the petitioner has earlier moved before this Court for grant of
regular bail in Cr. Misc. No 50926 of 2023 but the same was
rejected vide order dated 20.09.2023. He further submits that the
petitioner has clean antecedent and he has falsely been



implicated in the present case merely on the ground that petitioner is the husband of the deceased. He further submits that although, the petitioner is in custody since 17.03.2022 but till date, charge has not been framed against the petitioner and vide order dated 21.06.2024, a report was called for with regard to the stage of trial and the report dated 02.07.2024 of the learned trial court reveals that charge has not been framed as yet against the petitioner. He further submits that in view of the report of the learned trial court that there is no chance of early conclusion of trial in near future and the petitioner is in custody since 17.03.2022.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and report of the learned trial court, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-V, Rohtas at Sasaram, in connection with S.Tr. No. 143 of 2024 arising out of Nokha P.S. Case No. 383 of 2022, subject to the following conditions:-

(I) Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

vinayak/-

U			
---	--	--	--

