

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55513 of 2024

Arising Out of PS. Case No.-22 Year-2022 Thana- AMDABAD District- Katihar

Sk. Ahmad Son of Md. Sarif R/O Vill.- Govindpur, P.s.- Amadabad, Dist.-
Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narendra Chaubey, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Amdabad P.S. Case No. 22 of 2022 dated 29.01.2022, lodged
under Sections 341, 323, 307, 498(A), 504, 506 and 34 of the
I.P.C. read with Section 3/4 of Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 22.12.2022 passed in Cr. Misc. No. 53833 of 2022
in which liberty was granted to him to renew his prayer for bail
one year after framing of charge and the trial court was directed
to expedite the trial as early as possible. He submits that charge
has already been framed in this case on 20.09.2022. He further
submits that the trial has been commenced and in total seven

witnesses have been examined including the informant. He further submits that the evidence of informant (PW-5) is on page no. 32 and 33 of the bail application in which she has disclosed that she is not the eye witness rather the deceased herself disclosed that no one is responsible for her death and it is basically due to accident.

4. Learned counsel for the State opposes the prayer for bail and submits that it is true that the charge has been framed in this case.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Court of 3rd A.D.J.-cum-Special Court, Katihar in connection with Sessions Trial No. 426 of 2022 arising out of Amdabad P.S. Case No. 22 of 2022, G.R. No. 436 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

6. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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