

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50115 of 2024

Arising Out of PS. Case No.-272 Year-2021 Thana- SIRDALA District- Nawada

Kundan Chaudhary, Son of Govind Mehta, Resident of Vill- Shivpur, P.S.-
Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sirdala P.S. Case No. 272 of 2021 dated 25.06.2021 registered
for the offence punishable under Sections 304B/34 of the Indian
Penal Code.

3. Mr. Krishna Deo Raj, learned counsel for the
petitioner submits that the petitioner who happens to be the
husband of the deceased, earlier preferred Cr. Misc. No. 71491
of 2022 before this court for the relief of regular bail which was
rejected by this Court vide order dated 05.05.2023 with a
direction to the trial court to expedite the petitioner's trial and
conclude the same in the next one year. It is further submitted
that the petitioner has been given a liberty to renew his bail



prayer after one year from the date of the earlier rejection prayer, if the petitioner's trial is not concluded in the stipulated period of one year and now the petitioner has again come, mainly in the light of the said liberty as there is no significant progress in his trial and there is no chance of conclusion of his trial as till the date of filing of this petition not a single prosecution witness turned up for examination before the trial court despite the charges having been framed on 21.12.2023 and in this regard a specific statement has been made in paragraph no.15 of the petition. It is further submitted that the father-in-law and mother-in-law of the deceased, who are also named in the FIR, are on regular bail and the petitioner has been languishing in jail since 19.05.2022.

4. Mr. Madhura Nand Jha, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Heard both the sides and perused the FIR and order impugned. Though, against the petitioner there is serious allegation and the matter relates to the offence of dowry death but considering the prosecution's lingering attitude in producing and examining the prosecution witnesses as submitted above and also taking into account the petitioner's custody period which has been about 2 years and 3 months, in my opinion, the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner



named-above be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sirdala P.S. Case No. 272 of 2021.

(Shailendra Singh, J)

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