

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4633 of 2025

Arising Out of PS. Case No.-995 Year-2020 Thana- DEHRI TOWN District- Rohtas

Md. Imran Alam @ Md. Imran Ahmad @ Raja, S/O Emtiyaz Alam, R/O vill -
New Area, Patel Gali, Ward no.- 17, Dehari, P.S - Dehari (T), Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Dimpal Kumari, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-01-2025 Heard Ms. Dimpal Kumari, learned Advocate

 appearing on behalf of the petitioner and Ms. Sharda Kumari,

 learned Additional Public Prosecutor for the State.

2. The application for grant of bail to the petitioner who is in custody in connection with Dehari P.S. Case No. 995 of 2020 giving rise to Sessions Trial No. 239 of 2024 registered for the offence punishable under Sections 304(B) and 34 of the Indian Penal Code.

3. This is the second attempt made on behalf of the petitioner, as earlier the prayer for bail of the petitioner was turned down by this Court in Criminal Miscellaneous No. 47537 of 2024 vide order dated 22.11.2024 considering the fact that the petitioner is the husband of the deceased and there is material available against him. However, while negating the prayer of



the petitioner on the last occasion, liberty was granted to the petitioner to renew his prayer for bail after framing of charge.

4. Learned Advocate appearing on behalf of the petitioner contended that, in fact, the date on which the prayer of the petitioner was turned down, the learned Advocate for the petitioner had no instruction that charge had already been framed on 26.10.2024 itself. It is the contention of the petitioner that even after framing of the charge on 26.10.2024, till date, no prosecution witness has been examined and now the petitioner has been incarcerated since 07.12.2023. It is also the contention of the petitioner that the post-mortem report does not suggest any mark of violence over the body of the deceased and, in fact, it was a case of suicide which fact has also been corroborated from the statement of the independent witnesses. Realizing the aforementioned facts that the deceased have committed suicide, later on the informant has also filed an application before the jurisdictional Court, showing intention not to proceed in the matter.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submitted that the death has taken place just within two months of the marriage and there is a specific allegation against



the petitioner of causing death. Moreover, the offence is not compoundable and on the last occasion while pressing bail application, the petitioner was under obligation to disclose this fact that the charges were already framed.

6. Regard being had to the submissions made on behalf of the parties and considering the aforementioned facts, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-III, Sasaram, Rohtas in connection with Sessions Trial No. 239 of 2024 arising out of Dehri P.S. Case No. 995 of 2020, however, this Court finds that earlier while negating the prayer for bail of the petitioner this fact of framing of the charge has not been brought to the knowledge of this Court and, as such, the petitioner shall pay a cost of Rs. 5,000/- to be deposited in the Patna High Court Legal Services Authority at the time of furnishing the bail bond and subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of



trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below 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 court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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