

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40324 of 2025

Arising Out of PS. Case No.-150 Year-2020 Thana- AAJAM NAGAR District- Katihar

ABDUL MANNAN S/O AMJAD ALI R/O- VILLAGE- RATNIA, P.S-
AZAMNAGAR, DISTRICT-KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 18-07-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with S.T no.310 of 2022, arising out of Azamnagar P.S Case no.150 of 2020 registered under sections 302, 201 and 120B of the Indian Penal Code and sections 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, the daughter of the informant who was married to the son of the petitioner was brutally assaulted, killed and her body was dumped in a septic tank. On recovery of the body and on conduct of the post-mortem examination it transpired that the death was because of asphyxia due to strangulation by towel and head injury was caused by hard and blunt substance.

4. Learned counsel for the petitioner submits that the earlier applications for bail of the petitioner who happens to be the



father-in-law of the deceased were rejected vide orders dated 9.1.2023 passed in Cr. Misc. no.22072 of 2022 and dated 3.11.2023 passed in Cr. Misc. no.56078 of 2023. Learned counsel submits that the trial of the husband and the mother-in-law of the deceased were split from that of this petitioner who had not been taken into custody and as per information received, they were convicted. The petitioner has remained in custody since 11.2.2022 and as per instructions received, only one witness has been examined in the learned trial Court. The petitioner undertakes to cooperate in the trial and to abide by any conditions which may be laid by this Court for his release on bail.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 25.6.2025, summons, bailable warrants and non-bailable warrants have been issued to the witnesses on 30.1.2024, 8.5.2024 and 7.1.2025 respectively. Out of 11 charge-sheeted witnesses, deposition of one witness on behalf of the prosecution has been recorded.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the petitioner having remained in custody for over 3 years since



11.2.2022 and only one witness out of the 11 charge-sheeted witnesses having been examined in the learned trial Court, the petitioner is directed to be enlarged on bail in connection with S.T no.310 of 2022, arising out of Azamnagar P.S Case no.150 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-IV, Katihar on the following conditions :-

(I) One of the bailors of the petitioner shall be a close relative of the petitioner.

(II) The petitioner shall remain physically present in the trial court on each date of the trial and shall cooperate in the trial.

(III) In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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