

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66656 of 2024

Arising Out of PS. Case No.-119 Year-2023 Thana- KARAI PARSURAI District- Nalanda

Chandan Kumar S/o Late Ram Pravesh Paswan, Resident of Village- Bagi
Bagha, P.S.- Karaiparsuarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 28-01-2025 Heard Mr. Surendra Kumar Mishra, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No.112 of 2024 read with Karaiparsurai P.S.Case No.119
of 2023, registered for the offences punishable under Section
304(B)/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, for non-
fulfilment of the demand of dowry, the petitioner along with his
entire family members committed murder of the sister of the
informant.

4. Learned counsel appearing on behalf of the
petitioner submitted the father of the petitioner is pre-deceased
his mother. The mother of the petitioner was made accused in



the present case, who was a School Teacher and she subsequently died out of shock after filing of the FIR. He submitted now the petitioner is left alone in the family, who has not participated in commission of the alleged murder of his wife (deceased). The petitioner is in custody since 06.11.2023 and the trial is at a very initial stage. On these grounds, the petitioner seeks to be released on regular bail.

5. Learned A.P.P. for the State has opposed the prayer for grant of regular bail to the petitioner.

6. Considering the rival submissions made on behalf of the parties, as well as, the trial is at a very initial stage. At the time of lodging of the FIR, the mother of the petitioner was a School Teacher and she died out of shock, as such, the petitioner is now left alone in the entire family and petitioner is also a student striving for his success in competitive examination for seeking job, I find that no purpose will be served, if the petitioner remains in jail custody in view of the progress of trial, which is at very initial stage as informed by the learned Addl. District and Sessions Judge-I, Hilsa, Nalanda vide letter no.136 dated 20.12.2024 that all the seven prosecution witnesses, whose names figure in the list of prosecution witness in the charge-sheet have not turned up on behalf of the



prosecution.

7. The learned district court in view of the above circumstances is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge Ist, Hilsa (Nalanda) in connection with S.Tr.No.112 of 2024 read with Karaiparsurai P.S. Case No. 119 of 2023, subject to the following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court concerned.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, the prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail, the trial court shall take steps to cancel his bail bond.
- (5) The district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

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