

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76570 of 2024

Arising Out of PS. Case No.-374 Year-2020 Thana- DANAPUR District- Patna

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Ravi Chauhan @ Ravi Son of Ram Bharose Chauhan Resident of
Companybagh PS- Danapur District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 25-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is the third attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer of the petitioner for grant of bail has been rejected by the co-ordinate Bench of this Court *vide* order dated 09.01.2023 and 16.02.2024 passed in Cr. Misc. No. 39456 of 2022 and Cr. Misc. No. 84405 of 2023 respectively.

3. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 302, 304(B), 120(B) and 34 of the I.P.C.

4. As per the prosecution case, the daughter of the informant was married to the petitioner in the year 2014 and soon after the marriage, the informant's daughter was subjected



to cruelty due to non-fulfillment of demand of dowry by the petitioner. On 23.06.2020, the informant received information that his daughter has committed suicide and thereafter a suspicion was raised by the informant that all the named accused persons including the petitioner had conspired and killed his daughter.

5. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely because he happens to be the husband of the deceased. It is further submitted that the charge-sheet has already been submitted by the police on 19.09.2020, however, the charges were framed against the petitioner on 18.01.2024. It is next submitted that despite the passage of five years, the trial has not yet proceeded. It is next submitted that the bail application of this petitioner has already been rejected *vide* order dated 16.02.2024 passed in Cr. Misc. No. 84405 of 2023 in which the co-ordinate Bench of this Court had directed the learned trial Court to conclude the trial within six months and had granted liberty to the petitioner to renew his prayer for bail if the trial is not concluded. Learned counsel has also submitted that the petitioner is in custody since 24.06.2020 and despite the aforesaid order of the co-ordinate Bench of this Court, the trial



has not yet been started.

6. From perusal of the report submitted by the learned trial Court dated 15.05.2025, it is evident that the examination of the prosecution witness has not yet started and the next date is fixed on 29.05.2025.

7. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and stated that the petitioner is the main accused who is the husband of the deceased and the death had occurred within seven years of marriage.

8. Considering the aforesaid submissions made by the parties and also considering the period of custody which is five years and also noting the fact that out of the seven prosecution witnesses, not a single prosecution witness has been examined till date. In view of the liberty granted to the petitioner as enshrined under Article 21 of the Constitution of India, keeping the petitioner confined to judicial custody for five years without any trial is severely prejudicing the case of the petitioner and the right of life and personal liberty granted under Article 21 of the Constitution of India is being denied.

9. Accordingly, let the petitioner, above named, 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 learned Court concerned, Patna, in connection with Danapur P.S. Case No. 374 of 2020, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the trial Court finds that the trial is being delayed on account of the petitioner, the learned trial court shall take steps for cancellation of the bail bond of the petitioner.

(v) The learned 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 steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

10. The application stands allowed.

11. However, it is made clear that the observations, if any, made in this order shall be of no bearing during the trial.

(Sourendra Pandey, J)

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