

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21929 of 2020

Arising Out of PS. Case No.-622 Year-2018 Thana- NAUBATPUR District- Patna

SURYA PRAKASH @ SANTOSH KUMAR GUPTA @ BHOLU SAW Son
of Om Prakash Gupta Resident of Village- Khajuri, P.S.- Naubatpur, District-
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Sharma
For the State	:	Mr. Choube Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 16-09-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For
Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks from the date of lifting of the lockdown in
the State of Bihar.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 302, 304B and 120(B) of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected vide
Annexure-1 to the present application taking into account that
the petitioner is husband of the deceased and the onus is upon



him to explain the cause of death of his wife.

A report was called for from the court below regarding the stage of the case and the same has been received. It has been reported that the case is running for appearance of co-accused, Chandra Prakash.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 810 of 2019 arising out of Naubatpur P.S. Case No. 622 of 2018 is rejected.

The learned trial court is directed to proceed with the case and if necessary the trial court may separate the case of the petitioner from other accused and proceed with the trial of the petitioner and try to conclude the same preferably within a period of nine months after restoration of normalcy.

(Sudhir Singh, J)

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