

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23039 of 2020**

Arising Out of PS. Case No.-303 Year-2019 Thana- DULHIN BAZAR District- Patna

VAKIL SAO Son of Sri Madhusudan Sao R/v- Narhi, P.S.- Dulhin Bazar,  
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

4      20-10-2020                      Heard Mr. Vijay Kumar Sinha, learned counsel for  
the petitioner and Mr. Satyendra Narayan Singh, learned  
Additional Public Prosecutor appearing for the State through  
video conferencing.

Petitioner seeks regular bail in connection with  
Dulhin Bazar P.S. Case No. 303 of 2019 registered for the  
offences punishable under Sections 302 and 201 of the Indian  
Penal Code 1860.

The allegation as per the First Information Report is  
that the marriage of daughter of the informant was solemnized  
with the petitioner in the year 2000 and she was being subjected  
to torture with cruelty and, lastly, the informant came to know  
that his daughter has been killed by the petitioner and his family  
members by pressing her neck and the dead body has been



cremated clandestinely by them.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as the wife of the petitioner had died natural death and with consent of the informant and his family members the dead body was cremated and, thereafter, the present case has been lodged. Learned counsel further submits that out of the wedlock of the petitioner, the deceased had given birth to three children. Learned counsel also submits that during course of investigation, the statement of children of the deceased were not taken and none of the independent witnesses have said anything against the petitioner. Learned counsel next submits that the petitioner is in custody since 15.11.2019.

On the other hand, learned counsel for the State, referring to the case diary submits that other witnesses from the side of the informant have supported the prosecution story. However, the statement of the children of the deceased have not been recorded by the Police.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 15.11.2019, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri P.K. Malviya learned Judicial Magistrate, 1<sup>st</sup> Class, Patna, in connection with Dulhin Bazar P.S. Case No. 303 of 2019 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J)**

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