

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17461 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- GANDHIMAIDAN District- Patna

SACHIN KUMAR SON OF SHRI BIJAY PRASAD @ VIJAY PRASAD @
VIJAY KUMAR SAH @ BHOLA SAO RESIDENT OF GOLGHAR
CHAURAHA, P.S- GANDHI MAIDAN, DIST- PATNA, STATE- BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 306, 498A and 34 of the Indian Penal Code.

As per allegation in the FIR, the daughter of the informant who was married to the petitioner herein was regularly tortured by her mother-in-law, father-in-law as also this petitioner. It is stated that as a result of torture she hung herself.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of being the husband of the deceased. The allegations as



levelled in the FIR are false and concocted. The petitioner is in custody since 15.6.2020 and has no criminal antecedent. It is further submitted on oral instructions that subsequent to the filing of the instant application, charge has been framed in the learned trial Court under sections 306, 498A and 34 of the Indian Penal Code. The petitioner undertakes to co-operate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties, in the facts and circumstances of the case together with the petitioner having remained in custody for over 1 year and charge having been framed in the learned trial Court, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 362 of 2020 (arising out of Gandhi Maidan P.S. Case no. 157 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 Additional Sessions Judge XXV, Patna.

In view of the charge having been framed in the learned trial Court, it is directed that the petitioner shall co-operate in the trial and 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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