

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22289 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Santosh Kumar @ Munna @ Santosh Kumar Sharma Son Of Ram Chandra
Sharma R/O Village- Karor, Khanjhanpur, Ward No.16, P.S.- Cheriya
Bariyarpur, District- Begusarai

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Cheriya Bariyarpur P.S. Case No. 175 of 2021 lodged under
Section 302/34 of Indian Penal Code.

As per the prosecution case, the allegation made
against the petitioner and his father to kill the wife/daughter-in-
law. On the basis of the statement made by the children of the
petitioner and on their statement, the dead body was recovered.

Learned counsel for the petitioner submits that there is
no eye witness in this case. Not a single witness in the entire
case diary indicates that how death has been caused. He submits



that the petitioner is in custody since 20.12.2021. He further submits that charge sheet has already been filed and petitioner has clean antecedent. Learned counsel for the petitioner submits that case diary has been called for, from the case diary, it transpires that in the family son, father, daughter-in-law and children used to reside and dead body was recovered from the safety tank of the same house. The allegation of assault by the petitioner and his father was supported by the children of the deceased (petitioner's son).

A stage of trial has also been called for. Case is fit for framing of charge.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present stage. He may renew his prayer for bail after one year of framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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