

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31041 of 2021

Arising Out of PS. Case No.-107 Year-2020 Thana- CHAKIA District- East Champaran

Upendra Sah Son Of Late Bachchu Sah R/O Village- Banshghat, Bishunpur,
Ward No.15, P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr. A.G., APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

9 26-09-2022 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
Chakiya P.S. Case No. 107 of 2020 lodged under Sections
304(B)/201/34 of the I.P.C.

As per the prosecution case, learned counsel submits
that petitioner is innocent and has committed no offence. He
submits that husband of the deceased was working at Saudi
Arabia and the deceased was living with her parents in her
naihar. Petitioner used to send money to his father-in-law
namely Jagarnath Sah. After returning of the husband of the
deceased from Saudi Arabia, the deceased came back to her
sasural with her husband and died due to acute pain in the
stomach in the night. After death the in-laws' family of the
petitioner was informed and they participated in the cremation.

Learned counsel for the petitioner submits that from

the conjugal of 5 years, the petitioner and the deceased have 2 kids. It indicates that there was cordial relationship between them. Learned counsel for the petitioner submits that the petitioner is in custody since 13.01.2021 having clean antecedent and charge sheet has already been filed in this case. From the report it transpires that from the Trial Court charge has also been framed.

Learned counsel for the State opposes the prayer for bail and submits that it is case of 304 (B) of the I.P.C. and petitioner is the husband.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail at present but liberty is hereby granted to the petitioner that he may renew his prayer for bail after 6 months from today. And Trial Court is directed to release the petitioner on bail imposing conditions that he shall not evade from trial. Trial Court is directed to conclude the trial as early as possible.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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