

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60650 of 2022

Arising Out of PS. Case No.-331 Year-2017 Thana- VAISHALI District- Vaishali

MD. HADISH Son of Late Abdul Majeed R/V- Repura, P.S- Vaishali , Dist-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Shankar Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 21-12-2022 Affidavit filed on behalf of the petitioner is taken on
record.

Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of
regular bail in a case registered under sections 304B of the
Indian Penal Code.

As per the prosecution case, the informant states that
he is convinced that the daughter of the informant who was
married to the son of the petitioner was done to death by the
petitioner by strangulating her with a rope. The marriage had
taken place five months ago.

It is submitted by learned counsel for the petitioner
that the earlier application for bail of the petitioner was rejected
vide order dated 28.1.2022 (Annexure-1) passed in Cr. Misc. no.



28911 of 2021. It is further submitted that the petitioner is a 74 year old father-in-law of the deceased. The allegations in the FIR are false and concocted. There is no basis for the informant for raising suspicion as alleged in the FIR. The husband of the deceased has not been made an accused. Referring to the order annexed to the supplementary affidavit, it is submitted that charge has been framed against the petitioner in the learned trial court under sections 304B and 302 of the Indian Penal Code. In spite of the petitioner being in custody since 22.2.2020, i.e. for about 2 years 10 months, there is no chance of the trial concluding in the near future.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, charge having been framed in the case together with the petitioner having remained in custody since 22.2.2020, the petitioner is directed to be enlarged on bail in connection with S.Tr. no. 161 of 2022 (arising out of Vaishali P.S. Case no. 331 of 2017) 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 XIII, Vaishali at Hajipur.

It is further directed that the petitioner shall remain



properly represented on each date of the trial and shall cooperate in the trial.

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)

Spd/-

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