

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13970 of 2023**

Arising Out of PS. Case No.-532 Year-2019 Thana- KHAJEKALA District- Patna

SHYAM PRAVESH KUMAR @ SHYAM PRAVESH S/O LATE RAM  
CHANDRA PRASAD Resident of Village- Ashok Chakra Gali Gurhatta, P.S.-  
Khajekala, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      26-06-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in a case registered  
for the offence punishable under sections 304(B), 302 of the  
Indian Penal Code.

As per allegation in the FIR, informant's daughter was  
married to the petitioner four years ago and blessed with two  
children. On 16.12.2019 a quarrel between husband and wife  
took place in which petitioner pelted a stone on the head of the  
informant's daughter which hit her and during treatment, she  
died.

It is submitted by learned counsel for the petitioner  
that petitioner has been falsely implicated in this case. The



alleged occurrence took place at the spur of moment. There is no allegation of repetition to blow, which shows that there is no intention to kill the deceased. The provision of maximum sentence u/s 304(B) is of seven years and petitioner has remained in custody for more than three and half years.

The application for bail is opposed by learned APP for the State.

According to progress report, trial court asked for nine months time to conclude trial. It appears that there is not much progress in the trial.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-2nd, Patna City in connection with Khajekala P.S. Case No. 532 of 2019.

**(Sunil Kumar Panwar, J)**

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