

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21137 of 2023

Arising Out of PS. Case No.-387 Year-2021 Thana- RIVILGANJ District- Saran

Suresh Prasad Son of Late Lahwar Prasad @ Jwala Prasad Resident of village
- Revilganj Near Pakki Thakurbari, P.S.- Rivilganj, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 10-10-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under Section
302 of the Indian Penal Code.

It is alleged against the petitioner that he killed
his wife by assaulting her with stone at her head and
face.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The petitioner has been
implicated in this case since he happens to be the



husband of the deceased. In fact, the informant's sister fell down from the roof of the house accidentally and got injured and died during treatment. There is no eye witness to the occurrence. The petitioner was arrested from his house on 01.11.2021 and remanded in this case on 02.11.2021 and since then he is in judicial custody. The sister-in-law of the victim did not support the case of the prosecution.

In pursuance to the direction of this Court, a report with regard to the present stage of the trial has been received which has been kept at Flag-D. The report of learned 4th Additional Sessions Judge, Saran at Chapra dated 05.08.2023 suggests that up-till-now no prosecution witness has been examined and the trial is likely to be concluded within nine months which suggests that trial is not likely to be concluded in near future.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is husband of



the deceased and he was responsible for commission of murder of his wife.

Considering the facts aforesaid and the period under custody and the fact that trial is not likely to be concluded in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge, Saran at Chapra in connection with Sessions Trial No. 57 of 2022, arising out of Rivilganj P.S. Case No. 387 of 2021.

(Sunil Kumar Panwar, J)

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