

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38647 of 2022

Arising Out of PS. Case No.-220 Year-2022 Thana- DIGHA District- Patna

SANJIV KUMAR Son of Sri Rajendra Prasad Resident of Durga Mandir
Jhajha Bazar, P.s. Jhajha, District- Jamui, Presently residing at Sai Shivam
Colony, P.S. Digha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Mandal, Adv.
	:	Mr.Sanjay Mandal, Adv.
For the Opposite Party/s	:	Mr.Lalan Kumar, APP
For the Informant	:	Mr.Rajiv Ranjan, Adv.
	:	Mr. Rananjay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 24-01-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Digha
P.S. Case 220/2022, registered for the offence punishable under
Sections 302/34 of the Indian Penal Code now converted into
under Sections 306/34 of the I.P.C.

As per prosecution case, there is allegation against
the petitioner and others to have committed the murder of
informant's sister by strangulating her neck.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case being husband of the deceased. The petitioner is government servant working on the post of Manrega Programme Officer. The petitioner is languishing in custody since 04.04.2022 and bears no criminal antecedent.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submitted that the petitioner is husband of the deceased and there is allegation against the petitioner and others to have committed the murder by strangulating the neck of the informant's sister and the same is supported and corroborated by the postmortem report.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner being husband coupled with postmortem report and material available on record, I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

However, if trial is not concluded within six months from the date of receipt / production of copy of this order, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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