

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39083 of 2023

Arising Out of PS. Case No.-279 Year-2022 Thana- BAIRIYA District- West Champaran

Uday Sah son of Dhruv Sah @ Dhuv Sah Village- Phatu Chhapar Ward No-3,
Ps- Bairiya Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the State : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 17-10-2023 Heard learned counsel for the petitioner and Mr. Brajendra Nath Pandey, learned APP for the State.

2. The petitioner seeks bail in connection with Bairiya P.S. Case No. 279 of 2022 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. The petitioner is the husband of the deceased. The marriage was solemnized in the year 2009. The petitioner has three daughters who as per the submission of learned counsel for the petitioner are staying with the petitioner's family.

4. From the report, it appears that in the trial no witness has appeared and it will take time.

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

6. Considering the aforesaid, this application is



allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Bettiah, West Champaran /Successor Court in connection with Bairiya P.S. Case No. 279 of 2022.

8. The petitioner will co-operate in the trial. At the time of accepting bail bonds, the accused side will produce the three children and the trial Court will verify the fact as to whether the children are staying with the petitioner's family or with the informant's family. If the children are found staying with the petitioner's family, the bail bond of the petitioner shall be accepted. If the children are found to be staying with the informant's family then the bail bonds of the petitioner shall not be accepted and the matter will be reported back to this Court.

9. With the aforesaid observation and direction, this application is allowed.

(Sandeep Kumar, J)

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