

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53308 of 2022

Arising Out of PS. Case No.-448 Year-2020 Thana- BAHERA District- Darbhanga

DINESH SADA Son of Late Bindeshwar Sada R/V- Malaul, P.S.- Bahera,
District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 21-02-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Bahera P.S. Case No.448 of 2020 registered for the offence punishable under Sections 302, 201, 34 and 120(B) of the Indian Penal Code.

As per the prosecution, the informant alleged that this petitioner has murdered the informant's niece and the dead body has been disposed of.

The main submissions advanced by the learned counsel Mr. Ajay Kumar for the petitioner are that the petitioner



is husband of the deceased and has been languishing in jail since 16.12.2020 and the charges were framed upon him on 13.08.2021 and till date only one prosecution witness has been examined out of five chargesheeted witnesses which shows the lingering attitude of the prosecution in concluding the petitioner's trial and the marriage of the petitioner with victim took place 15 years ago from the date of the institution of the FIR and there are four children from the said wedlock.

Learned APP Mr. Uma Shankar Prasad Singh appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, and mainly considering the petitioner's custody period and the lingering attitude of the prosecution in examining the witnesses in the trial of the petitioner, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Bahera P.S. Case No.448 of 2020.

(Shailendra Singh, J)

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