

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1299 of 2023

Arising Out of PS. Case No.-140 Year-2019 Thana- CHAKAND District- Gaya

Md. Zahid Son Of Late Md. Arif R/V- Shadipur, P.S.- Chakand, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate
	:	Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-01-2023 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

Petitioner seeks regular bail in connection with Chakand P.S. Case No. 140 of 2019 registered for the offences punishable under Sections 304B and 34 of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

As per the prosecution, the petitioner who happens to be husband of the deceased and the family members of the petitioner always tortured the informant's sister for the demand of one lakh rupees and a motorcycle and finally they killed the



deceased by strangulating her and the marriage of the deceased took place with this petitioner just one and half years ago.

The main submissions advanced by the learned senior counsel Mr. Krishna Pd. Singh appearing for the petitioner are that the petitioner has earlier preferred Cr.Misc No.19035 of 2022 for the relief of bail which was rejected by this Court but he was given liberty to renew his bail prayer after framing of charge and accordingly, he has again come before this Court for the same relief after framing of charge and upon him the charge has been framed on 16.11.2022 and the petitioner is a government employee having clean antecedent and he has been languishing in jail since 05.01.2022 and he is posted as a constable in paramilitary force. Further submission is that at the time of alleged occurrence the petitioner was not present at the alleged place rather he had gone to his sister's house and the wife of this petitioner died by committing suicide.

Learned APP Mr. Lalan Kumar, appearing for the State has opposed the bail prayer.

Heard both the sides. Though allegation against the petitioner is serious in nature but considering the facts that after the framing of charge upon the petitioner his trial has started and the same is at initial stage which may take some time to be



concluded and the petitioner who is stated to be a government employee has been languishing in jail since 05.01.2022, 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 Chakand P.S. Case No. 140 of 2019.

(Shailendra Singh, J.)

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