

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7598 of 2024

Arising Out of PS. Case No.-353 Year-2020 Thana- PURNEA SADAR District- Purnia

Sateyndra Kumar S/o- Jagjivan Village- Aundi Ps- Pepna Dist- Balia U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Ojha

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 376, 323 and 307 of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that this
is the second attempt of the petitioner to seek bail. It is next
submitted that petitioner is in custody since 05.10.2020. It is
further submitted that petitioner is alleged to have entered the
house of informant and forcibly raped her in which she got
injured and when her husband came, he assaulted him by a
sharp edged weapon on his elbow and also banged the head of
the informant and fled and the husband of the informant while
on way to the hospital died. It is next submitted that this aspect



of the matter was considered by this Court while rejecting the bail application of the petitioner in Criminal Miscellaneous No. 34386 of 2021. It is further submitted that the informant and the petitioner were in a relationship and the petitioner in absence of her husband had entered the house of the informant when her husband came but then the petitioner while fleeing may have assaulted the husband of the informant but the assault was on non-vital part of the body, as such, it cannot be said that on account of assault on hand, the husband of the informant would have died. It is next submitted that altogether there are six prosecution witnesses, out of which only doctor has been examined till date and the petitioner is in custody since 05.10.2020. It is also submitted that informant for reasons best known is not appearing before the learned Trial Court for getting herself examined. It is next submitted that the petitioner will not abscond rather will co-operate in the trial.

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

5. Considering the period of incarceration and the nature of allegation as alleged in the FIR, the petitioner above-named is directed to be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sadar P.S. Case No. 353 of 2020.

6. However, if it comes to the notice of the learned Trial Court that the petitioner after obtaining bail is trying to delay the trial in any manner, in that event, the learned Trial Court shall forthwith cancel the bail bonds of the petitioner and take all coercive steps to ensure that petitioner is behind bars.

(Satyavrat Verma, J)

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