

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36249 of 2024

Arising Out of PS. Case No.-99 Year-2023 Thana- BAHADURPUR District- Darbhanga

Sarovar Sada @ Sarovar Sadai, (Male), aged about 46 years, Son of Late Bhadai Sadai @ Bhadai Sada, Resident of Village - Gangiya, Police Station - Bahadurpur (Sonki O.P.), District – Darbhanga.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 01-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 663 of 2023, arising out of Bahadurpur (Sonki O.P.) P.S. Case No. 99 of 2023 dated 07.03.2023 registered for the offences punishable under Sections 302/34 of the I.P.C.

3. As per the prosecution case, the informant's son, namely, Chandan Kumar, was married three years ago. On 06.03.2023, his son Chandan Kumar Dhangar was killed by Sarovar Sada (petitioner) who is the father-in-law of Chandan Kumar. On information, the informant went to the village- Gangiya and asked to Mala Devi and who told him that a fight



took place and due to that he went out with a bag later on his father-in-law Sarovar Sada (petitioner) called him and started to assault him with 4-5 miscreants which resulted in his death.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is causing loss as the deceased was his son-in-law and his daughter has become widow and she is totally dependent on him. It is further submitted that the wife of the deceased who happens to be the daughter of the petitioner has told him that the petitioner and 4-5 persons killed the deceased but she herself sworn an affidavit of the present bail petition which falsifies the prosecution case. It is further submitted that during the course of the investigation, police official in a very mechanical manner took the statement of Mala Devi but later on she came to know that her statement was already recorded. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 18.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is alleged to have killed the deceased who was his son-in-law. It is further submitted that Mala Devi who is the



wife of the deceased has supported the prosecution case, which is mentioned in paragraph no. 79 of the case diary and the said Mala Devi is the daughter of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation and finding substance in the contention of the learned A.P.P. for the State, this Court is not inclined to grant bail to the petitioner in connection with Sessions Trial No. 663 of 2023, arising out of Bahadurpur (Sonki O.P.) P.S. Case No. 99 of 2023, pending in the court of learned Additional Sessions Judge-Vth, Darbhanga.

7. The application stands rejected.

8. The learned court is directed to conclude the trial of the petitioner at the earliest.

(Chandra Prakash Singh, J)

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