

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38895 of 2024

Arising Out of PS. Case No.-316 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Uday Pratap Singh S/O Jagjeevan Singh R/O Village- Sakrauli, P.S.-
Mohania, Dist- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar, Advocate
	:	Mr. Abhishek Anand, Advocate
	:	Mr. Tahsin Nayyar Siddiqui, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-08-2024 Heard Mr. Umesh Kumar, learned counsel for the
petitioner and Mr. Ram Bilash Roy Raman, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
04.08.2023, in connection with Session Trial No. 340 of 2023
arising out of Mohania P.S. Case No.316 of 2023, FIR dated
15.05.2023 for the offences punishable under Sections 304B,
498A and 34 of the Indian Penal Code but the charge has been
framed against the petitioner under Sections 302, 304B, 498A
and 34 of the Indian Penal Code.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 26.09.2023 passed in Cr. Misc. No.
57305 of 2023.

4. Learned counsel for the petitioner submits that



the petitioner has clean antecedent and he has falsely been implicated in the present case in fact the father of the petitioner has filed a U.D. case before the Police on 04.10.2022 stating therein that the victim has committed suicide herself, thereafter, the father of the deceased has filed a complaint case on 17.10.2022 and the same was converted into the present FIR. He further submits that the allegation as alleged against the petitioner is false and fabricated and in fact, the petitioner was not present and he was in Gurugram where he was working in a private company. The petitioner is rotting in judicial custody since 04.08.2023.

5. Vide order dated 21.06.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court reveals that charge has been framed against the petitioner on 03.01.2024 and prosecution has not examined any witness as yet.

6. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

7. Learned counsel for the petitioner submits that in view of the report of the learned trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 04.08.2023 more than a year.



8. Considering the facts and circumstances of the case as well as the report of the trial Court, let the, above named, 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 learned Addl. Sessions Judge-XI, Kaimur (Bhabhua) in connection with Session Trial No. 340 of 2023 arising out of Mohania P.S. Case No. 316 of 2023 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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