

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47395 of 2024

Arising Out of PS. Case No.-95 Year-2023 Thana- HAYAGHAT District- Darbhanga

Lal Bahadur Choudhary S/O- Ram Chandra Choudhary RESIDENT OF
VILLAGE-CHHOTI MANOPUR, P.S.- HAYAGHAT, Distt.-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-08-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Hayaghat P.S Case no.95 of 2023 registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his daughter was married to the son of the petitioner herein. Soon after the marriage, the accused persons including the petitioner started to torture his daughter and assault her. She was ultimately done to death.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 29.2.2024 (Annexure-1) passed in Cr. Misc. no. 76917 of 2023. The petitioner who is the father-in-law is in



custody since 4.8.2023. Investigation in the case is complete and charge has be framed in the learned trial Court. The petitioner undertakes to cooperate in the trial. The husband of the deceased is in custody .

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner who happens to be the father-in- law of the deceased is named in the FIR but there is allegation in the FIR that cause of death was asphyxia due to manual strangulation. The trial has commenced and once the petitioner is enlarged on bail he will not permit the trial to proceed.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, his being the father-in-law of the deceased and being in custody since 4.8.2023, the Court directs the petitioner to be enlarged on bail in connection with Hayaghat P.S. Case no. 95 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VIII, Darbhanga, subject to the following conditions:

(1) The petitioner shall remain physically present in



Court on each date of the trial and shall cooperate in the trial.

(2) In case the petitioner is absent on any date for reasons not to the satisfaction of the learned trial Court or the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court will be at liberty to cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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