

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70442 of 2023

Arising Out of PS. Case No.-218 Year-2021 Thana- BHELDI District- Saran

Saroj Ray S/O Yogeshwar Ray R/O Village- Chandpura, P.S- Bheldi, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avnish Kumar Singh, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 15-03-2024 Heard learned counsel for the petitioner and learned APP for the State as also perused the case diary.

2. The petitioner seeks bail in connection with Bheldi P.S. Case No. 218 of 2021 instituted for the offences under Sections 341, 323, 302, 504 of the Indian Penal Code.

3. The allegation against the petitioner is of assaulting the Informant and her mother/Babita Devi (deceased) by means of Lathi due to which Babita Devi (deceased) died at the spot. The Informant also sustained injury on her left hand.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is the father of the Informant and husband of the deceased. He further submits that in the heat of passion, the petitioner gave *lathi* blow to his wife due to which she died. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 13.07.2021.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that there is a specific and direct allegation against the petitioner and the family members of the deceased have also supported the prosecution case.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction



of Court below/concerned Court in connection with Bheldi
P.S. Case No. 218 of 2021, subject to the conditions that;

(i) One of the bailors shall be own/close member of
the family of the petitioner.

(ii) The petitioner shall appear on each and every
date fixed at the trial. In case of default in such appearance
on two consecutive dates, the Trial Court will have liberty to
cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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