

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78890 of 2024

Arising Out of PS. Case No.-417 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

Akshay Kumar Son of Kachahari Bind Resident of Village- Baijnathpur, P.S. -
Kudra, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-12-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.49 of 2024, arising out of Kudra P.S. Case no. 417 of 2023 registered under sections 302, 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, the daughter of the informant was married to the petitioner herein. It is stated that soon after the marriage, the husband of the informant's daughter ie the petitioner herein as also the family members started to torture the informant's daughter and she was ultimately killed.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the deceased. It is submitted that the petitioner is in custody since 4.11.2023 and



the trial is proceeding in the learned Court below. Referring to the deposition of the father of the deceased, which has been brought on record as Annexure-P/2 to this petition, it is submitted that in substance he has not supported the prosecution case. Learned counsel submits that the petitioner undertakes to cooperate in the trial and to abide by any condition which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the contents of the deposition of the father of the deceased which has been brought on record as Annexure-P/2 to this petition and the petitioner having remained in custody for more than a year since 4.11.2023, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.49 of 2024, arising out of Kudra P.S. Case no. 417 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 Additional Sessions Judge-V, Kaimur at Bhabua on the following conditions:-

(I) The petitioner shall remain physically present in



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

(II) In case of the petitioner not cooperating in the trial or the petitioner remaining absent on any single date for reasons not to the satisfaction of the learned trial Court, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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