

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13564 of 2025

Arising Out of PS. Case No.-422 Year-2022 Thana- BUXAR MUFFSIL District- Buxar

Surya Dev Rai S/O Kamlesh Rai @ Kamleshwar Rai R/O Vill.-
Kamarpur,P.S-Buxar Muffasil, Dist.- Buxar, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2025 Heard Mr. Pankaj Kumar Sinha, learned counsel for
the petitioner and Ms. Sucheta Yadav learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
08.12.2022 in connection with Sessions Trial No. 08 of 2023
arising out of Buxar Muffasil P.S. Case No. 422 of 2022, F.I.R.
dated 25.09.2022 for the offences punishable under Sections
341, 323, 307 and 498(A) of the Indian Penal Code and Sections
3 and 4 of Dowry Prohibition Act and later on Section 304(B) of
Indian Penal Code was added.

3. Earlier the bail application of the petitioner was
rejected vide order dated 17.05.2024 in Cr. Misc. No. 25154 of
2024 by this Court.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been

implicated in the present case. He further submits that the petitioner is in custody since 08.12.2022 and the trial is not concluded as yet.

5. Vide order dated 28.02.2025, a report was called with regard to stage of the trial. Report of the learned Trial Court dated 03.03.2025 reveals that out of eleven charge-sheet witnesses, five witnesses have been examined and the case is pending for the examination of rest of the prosecution witnesses.

6. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that earlier the prayer for bail of the petitioner was rejected on merit and it has come during investigation that the dying declaration of victim was recorded in presence of the doctor in which she stated that the petitioner had assaulted her and also threw petrol and kerosene and set her on fire.

7. Considering the nature of allegation supported by the victim in her dying declaration as well as the report of the trial Court, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 08 of 2023 arising out of Buxar Muffasil P.S. Case No. 422 of 2022 pending in the Court of Learned Additional Sessions Judge-III, Buxar.

8. Prayer is refused.

9. However, the learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J.)

Jyoti Kumari/-

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