

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29706 of 2025

Arising Out of PS. Case No.-39 Year-2024 Thana- Benibad District- Muzaffarpur

Mithilesh Sharma S/O Jai Kant Sharma Villlage- Ramnagar, P.s.- Benibad,
Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 02-09-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with Benibad P.S. Case No. 39 of 2024 registered for the offence under Sections 80(2), 85, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The petitioner is the husband of the deceased. The marriage of the victim with the petitioner was solemnized 7 years ago. The allegation against the petitioner is that the petitioner has assaulted and killed his wife

4. Learned counsel for the petitioner submits that the deceased has committed suicide. He further submits that there is one child born out of the wedlock who is staying with the family of the petitioner. He further submits that though the petitioner is



in custody since 20.08.2024 but the trial is being delayed.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the fact that the deceased may have committed suicide leaving behind a child who is staying with the family of the petitioner, period of custody and the delay in trial, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, 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 the learned Addl. Sessions Judge 11th, Muzaffarpur/concerned Court below in connection with Benibad P.S. Case No. 39 of 2024 subject to condition that:-

(i). At the time of accepting the bail bonds of the petitioner, the Court below shall verify the statement made by the petitioner i.e., the child of the victim is staying with the family of the petitioner. If the statement of the petitioner is found true then only his bail bonds shall be accepted.

(Sandeep Kumar, J)

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