

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36810 of 2025

Arising Out of PS. Case No.-101 Year-2024 Thana- SHRIKRISHNAPURI District- Patna

Prakash Kumar Bhaumik, S/o Dilip Kumar Bhaumik, resident of 1/2, Ward No 2, Mai Ji Ka Pokhar, Riga Road, Ps- Sitamarhi, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 19-09-2025 Heard Mr. Brij Bihari Tiwary, learned counsel for the petitioner and Mr. Rajendra Prasad Nat, learned APP for the State.

2. Petitioner seeks regular bail in connection with Sri Krishna Puri P.S. Case No. 101 of 2024 dated 29.03.2024 registered for the offence punishable under section 304 of the Indian Penal Code.

3. As per the prosecution story, the informant hired the petitioner to take care of his old and ill grandfather at a monthly salary of Rs. 30,000/-, starting from 17.02.2024. It is further alleged that the informant got knowledge of his grandfather's death on 28.03.2024 and from the CCTV footage, he came to know that the petitioner was torturing his grandfather and had forcefully pressed his neck.



4. The main submissions advanced by petitioner's counsel are that this is the second attempt of the petitioner to get the relief of bail and his first prayer for the same relief was rejected by this Court on merit vide order dated 20.11.2024 passed in Cr. Misc. No. 68720/2024, however, the petitioner has renewed his bail prayer mainly on the ground of his custody period and so far as the merit of the allegation is concerned, it is an admitted position that no postmortem examination was conducted over the body of the deceased and the petitioner had no motive to kill the deceased and he had been simply discharging his duty as a caretaker of the deceased, during the relevant time. It is further submitted that the petitioner is a very poor person and the livelihood of his entire family depends upon his earning and his family members are facing much hardship on account of him being in jail, for the last one and a half years.

5. Learned APP for the State has opposed the prayer of the petitioner.

6. Heard both the sides. The petitioner's prayer for the relief of bail has already been rejected on merit considering the seriousness of the allegation and the alleged act of the petitioner was captured in the CCTV camera. Considering the seriousness of the allegation appearing against this petitioner, this Court is



not persuaded to take a different approach from the one taken earlier.

7. However, considering the petitioner’s poor financial background as well as dependency of his family members upon him as stated above, he is given a liberty to renew his prayer after six months if no significant progress is made in his trial.

(Shailendra Singh, J)

annu/-

U			
---	--	--	--

