

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51505 of 2025

Arising Out of PS. Case No.-86 Year-2005 Thana- BELHAR District- Banka

Shyam Sundar Das S/O Late Mahendra Das R/O Village- Tari Manjhgany,
Post- Belhar, P.S- Belhar, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 25-07-2025 Heard the learned counsel for the petitioner and learned
APP for the State.

2. The petitioner makes a prayer for bail in connection with Belhar P.S Case No.86 of 2005 registered for offences under Sections 302, 201 and 34 of the Indian Penal Code.

3. The prosecution as disclosed in the First Information Report is that, all the accused persons including this petitioner brutally assaulted the married daughter of the informant in their house with means of *lathi*, *danda* and when she tried to escape, all accused persons grabbed her and threw her on a cot and killed her by pressing her neck and also cremated her dead body in a hurry on 24.07.2005. The informant came to know of the whole incident and when the



informant reached the victim's matrimonial home then the present F.I.R. was lodged.

4. Learned counsel for the petitioner submits that there is general and omnibus allegation in the F.I.R. against all the accused persons. The petitioner is the nephew of the deceased, who is residing separately from the deceased and her husband and had no role to play in day to day affairs of the deceased or her husband. Petitioner is in custody since 22.11.2024 and charges have been framed against him. Learned counsel for the petitioner further submits that the main accused i.e. the husband of the deceased, who was, subsequently, convicted in the separated trial and in his appeal filed before the this Court, his sentence has been suspended and has been granted bail *vide* order dated 20.02.2000 passed in Cr. Appeal (DB) No.926 of 2019, considering that there is no direct evidence against the appellant and his marriage had taken place with the deceased about 30 years ago and he was all along on bail during the trial. Further, other similarly situated accused persons have already been granted bail by this Court vide order dated 22.05.2025 passed in Cr. Misc. No.32983 of 2025 (Annexure-2)

5. Taking into consideration the fact and



circumstances of the case, let the above named, petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned District & Additional Sessions Judge-VII, Banka, in connection with Belhar P.S Case No.86 of 2005, subject to the condition that

(i) The petitioner shall co-operate in the investigation/ trial.

(ii) The petitioner would appear on each and every date before the learned Court below and in case of their absence on two consecutive dates without any reasonable cause, the learned Court below would be free to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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