

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3561 of 2025

Arising Out of PS. Case No.-293 Year-2023 Thana- GURUA District- Gaya

Chhotu Kumar Son of Shyamlal Bhuiyan @ Shyamlal Manjhi Resident of
Village - Raksa Tola, Lalganj, P.S. - Gurua, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena
For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-02-2025 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 2nd attempt of the petitioner. Earlier the
bail application of the petitioner was rejected vide order dated
16.04.2024 passed in Cr. Misc. No. 8774 of 2024.

3. The petitioner seeks regular bail in a case registered
for the offence under Sections 304B/34 of the Indian Penal
Code.

4. As per the prosecution case, petitioner is the
husband of the deceased. He is accused of torturing and killing
the deceased.

5. Learned counsel for the petitioner submits that
petitioner is innocent and has not committed any offence.



Petitioner is in custody since 18.06.2023. He further submits that even after framing of charge on 04.09.2024, no witness has been examined yet.

6. Learned A.P.P. has vehemently opposed the prayer for bail.

7. Considering the period of custody and delay in trial, this application for regular bail is allowed.

8. 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 Additional District and Sessions Judge-I, Sherghati, Gaya/concerned Court below in connection with Gurua P.S. Case No. 293 of 2023 subjects to condition that:-

(i) The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bond of the petitioner.

(ii) Before accepting the bail bond of the petitioner, the Court below will verify the fact that as to whether no witness has been examined after framing of charge or not. If the statement of the petitioner is found true then the bail bond of the petitioner shall be accepted. If the statement



is found false then the bail bond of the petitioner shall not be accepted.

(Sandeep Kumar, J)

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