

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2235 of 2026

Arising Out of PS. Case No.-163 Year-2015 Thana- HALSI District- Lakhisarai

Pacchu Saw @ Pachu Sah S/O Late Mahadev Sao @ Mahadev Sah Resident
of Village-Tetarhat, P.S.- Halsi. District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Irshad, Advocate
For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-02-2026

Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.325 of 2022, arising out of Halsi P.S. Case no.163 of 2015 registered under sections 304B, 201 and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the daughter of the informant was married to the petitioner herein in the year 2015. It is stated by the informant that soon after the marriage, the accused persons started making a demand of dowry by way of a motorcycle. The assault and torture continued and ultimately she was done to death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There is no



eyewitness and the manner of occurrences is other than what has been narrated in the FIR. Inspite of the petitioner being in custody since 5.2.2022, only two witnesses have been examined on behalf of the prosecution and as per instructions, both have been declared hostile.

5. The application for bail is opposed by learned APP for the State.

6. A report was called from the learned trial Court. As for the report received contained in letter dated 21.1.2026 charge was framed on 15.4.2023 and out of the six charge sheet witnesses, two witnesses have been examined. The report further states that non-bailable warrants have been issued to the remaining prosecution witnesses for them to appear.

7. Having heard learned counsel to the parties and taking into consideration the allegation against the petitioner in the FIR, the prosecution witnesses not appearing inspite of issuance of non-bailable warrants and the petitioner having remained in custody for over four years since 5.2.2022, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.325 of 2022, arising out of Halsi P.S. Case no.163 of 2015 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned A.D.J-1st, Lakhisarai on the following conditions:-

- 1. The petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.
- 2. In case the petitioner is absent on any single date for reasons not to the satisfaction of the learned trial Court, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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