

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66616 of 2025

Arising Out of PS. Case No.-304 Year-2024 Thana- IMAMGANJ District- Gaya

Sahendra Mistri S/O Karu Mistri R/O Vill.- Mohanpur Tola Bandha, P.S.-
Imamganj, Dist.- Gaya ji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 19-03-2026 Heard Mr. Arvind Kumar Singh, learned counsel for
the petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 14.11.2024
in connection with Imamganj P.S. Case No. 304 of 2024, F.I.R. dated
13.11.2024 for the offences punishable under Sections 103 and 3 (5)
of B.N.S.

3. According to prosecution case, informant alleged that,
daughter of the informant got married to petitioner about 10 years
ago, after which she was tortured by petitioner and others. On
12.11.2024, informant got to know that her daughter was killed by
petitioner and others.

4. Learned counsel for the petitioner submits that petitioner
has clean antecedent and he has falsely been implicated in the present
case. The allegation as alleged in the F.I.R is false and fabricated and



the petitioner has not committed any offence as alleged in the F.I.R. Informant is not the eye-witness of the occurrence. On the basis of suspicion, the petitioner has been made an accused in the present case. The marriage of the petitioner was performed with the deceased about 10 years back to the occurrence and the allegation against the petitioner is that of having illicit relation with his bhabhi (sister-in-law). Allegation against the petitioner is general and omnibus in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 14.11.2024 and trial has not begun as yet.

5. Vide order dated 31.01.2026, a report was called with regard to the stage of the trial. Report dated 07.02.2026 of the learned trial court reveals that the case has been committed to the court of Sessions vide order dated 06.02.2026 and the trial is not likely to be concluded in near future.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner

7. Considering the aforesaid facts and circumstances, report of the trial court as well as period of custody, 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 Judicial Magistrate First Class, Sherghatti, Gayaji in connection with Imamganj P.S. Case No. 304 of 2024, subject to the following conditions:-



(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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