

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18062 of 2021

Arising Out of PS. Case No.-713 Year-2019 Thana- PATRAKARNAGAR District- Patna

SANJEEV KUMAR SINGH S/o Jogindra Singh Resident of Lalit Niketan Colony, Sanjay Gandhi Nagar, Hanuman Nagar, P.S.- Patrakar Nagar, District- Patna

... .. Petitioner

Versus

1. The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 05-10-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Sunil Kumar Pandey, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Patrakar Nagar P.S. Case 713 of 2019 registered for the offences punishable under Section 304(B) of the Indian Penal Code. He is in custody since 09.09.2019 and as per the submission made in paragraph '3', the petitioner has got no criminal antecedent.

As per the prosecution story, the informant got information that his sister (deceased) has committed suicide. On getting this information the informant along with his parents



reached at the house of his sister and saw her lying dead on bed. The informant was told that his sister has committed suicide by hanging. It is alleged that the informant's sister was being tortured by her husband and other family members for non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that marriage between the petitioner and the deceased was solemnised in the year 2012 and the alleged occurrence has taken place after a period of seven years. It is submitted that there is no any complaint filed by anyone against this petitioner for torture or demand of dowry. Learned counsel submits that in the post-mortem report no ante-mortem injury was found.

Mr. Sunil Kumar Pandey, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case and the submission of learned counsel for the petitioner that in this case the marriage between the petitioner and the deceased was solemnised in the year 2012 and the alleged occurrence has taken place after a period of seven years, in the post-mortem report no ante-mortem injury was found and learned A.P.P. for the State does not dispute this position that in the post-mortem report no ante-



mortem injury was found, further that the petitioner has remained in jail for a little over two years but the trial is not likely to be concluded in near future, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Sub Judge-cum-A.C.J.M.-VIII, Patna in connection with Patrakar Nagar P.S. Case 713 of 2019 subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

