

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9627 of 2023**

Arising Out of PS. Case No.-252 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

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Bikas Kumar @ Vikash Kumar @ Vikas Kumar @ Vikash, Son of Rajesh Rai
@ Rajesh Yadav, Resident of Village- Hasanpura, P.S.- Ara Mufassil, District-
Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

5 27-06-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Sessions Trial No.124 of 2022 arising out of Ara Mufassil
P.S. Case No.252 of 2020 registered for the offence punishable
under Section 304-B read with 34 of the Indian Penal Code.

The accused/petitioner named in the FIR and is in
custody since 03.03.2022.

Allegation against the petitioner, who is husband,
to cause death of daughter of the informant along with other co-
accused persons/family members due to non-fulfilment of
demand of dowry as raised for cash of Rs.3 lakhs by
administering poison.

It is submitted by learned counsel that petitioner



has been implicated in the present case for the reason that he is the husband of the deceased. It is submitted that the allegation as regard to raise demand of dowry is appearing very much general and omnibus. Learned counsel while arguing the matter submitted that apparently as per FSL report, no poison was detected from the viscera of the deceased and apparently the allegation as to administering poison is false on its face. It is submitted that wife of petitioner died out of her ailment. While concluding argument, it is submitted that petitioner is a man of clean antecedent and moreover investigation of this case has been completed for which charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer for bail of the petitioner.

In view of above-mentioned facts and circumstances as FSL report of viscera of deceased negate the presence of poison as claimed by the informant causing death of her daughter, where demand of dowry against petitioner is also appearing very much general and omnibus, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 03.03.2022, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-VIII, Bhojpur, Ara in connection with Sessions Trial No.124 of 2022 arising out of Ara Mufassil P.S. Case No.252 of 2020, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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