

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13105 of 2023

Arising Out of PS. Case No.-67 Year-2020 Thana- KHAGAUL District- Patna

Sonu Kumar Son Of Krishna Ram R/O Rampur Garikhana, P.S.- Khagaul,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 21.07.2022, in connection with Sessions Trial No. 1291 of 2022 arising out of Khagaul P.S. Case No. 67 of 2020, F.I.R. dated 04.03.2020 registered for the offences punishable under Sections 304(B), 34 of the Indian Penal Code.

The prosecution case, in short, is that the marriage of the informant's sister namely Renu Devi was solemnized with Sonu Kumar in the year 2018 according to Hindu rites and customs. It is further alleged that after marriage, the in-laws family members started torturing for demand of dowry and finally in furtherance of common intention they took her on the roof, assaulted her and in due course accused Pawan Kumar



made made her wounded by inflicting knife injuries at several places on her body. On getting information, the informant reached at the Sasural of his sister where he saw his sister lying in pool of blood and with the help of villagers the informant brought to Railway Hospital where the Doctor declared her dead.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case merely on the ground that the petitioner is husband of the deceased. He further submits that it appears from the F.I.R. that there is no specific allegation attributed against the petitioner rather there is specific allegation of assault by knife attributed against co-accused person namely Pawan Kumar who is brother of the petitioner. He further submits that co-accused persons namely Rita Devi and Krishna Ram have been granted bail by a Coordinate Bench of this Court vide order dated 13.10.2020 passed in Cr. Misc. No. 26710 of 2020, another co-accused person namely Siwani Kumar and Sonam Kumari have been granted bail by a Coordinate Bench of this Court vide order dated 20.10.2020 passed in Cr. Misc. No. 27521 of 2020, another co-accused Monu Kumar has been granted bail by a Coordinate Bench of



this Court vide order dated 16.12.2021 passed in Cr. Misc. No. 2177 of 2021 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.07.2022.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Danapur, Patna in connection with Sessions Trial No. 1291 of 2022 arising out of Khagaul P.S. Case No. 67 of 2020, subject to the following conditions :-

(1) 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.

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

(3) 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 antecedents, 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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