

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28902 of 2023**

Arising Out of PS. Case No.-299 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

NARENDRA KUMAR @ LAV Son of Late Vikrama Ram Resident of
Village-Sukhpurwa, PS-Mohania, Distt-Kaimur Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

4 19-08-2023 Heard the parties.

The petitioner is an accused in connection with S.Tr.
No. 434 of 2022 arising out of Mohania P.S. Case No. 299 of
2022 registered for the offences under sections 304(B), 302 and
34 of the Indian Penal Code and section 3 of the Dowry
Prohibition Act lodged on 07.06.2022 by the informant, Ajit
Kumar Ram.

As per the prosecution story, the informant's daughter
was married to the petitioner in 2020 but was tortured for
dowry. On the fateful day, when he arrived at his daughter's in-
laws house, opened her bed room, saw her dead. Accordingly,
the FIR.

Learned Counsel for the petitioner submits that she
committed suicide and there are statement of the locals in this



regard.

Learned APP for the State, on the other hand, had taken this Court to the Post-Mortem Report to show that the cause of death is '*asphyxia*' due to strangulation.

To this, learned Counsel for the petitioner drawn the attention to the paragraph 16 of the supplementary case diary to show that another villager has narrated the sequence which led to broken door followed by the recovery of dead body.

Taking into account the aforesaid facts as also that the charge sheet has been submitted, this Court is inclined to extend him privilege of bail after framing of the charges.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge, 1st, Kaimur at Bhabua in connection with S.Tr. No. 434 of 2022 arising out of Mohania P.S. Case No. 299 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of trial to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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