

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42452 of 2023

Arising Out of PS. Case No.-815 Year-2020 Thana- AGAMKUAN District- Patna

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AMIT KUMAR S/O ASHOK KUMAR SINHA R/O VILLAGE- KANTI
FACTORY ROAD NEAR NALU PUR KANKARBAGH PS AGAMKUAN
DISTRICT PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.

Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 3 16-08-2023 1. Heard Mr. Ramakant Sharma, learned senior counsel
for the petitioner, learned counsel for the informant and learned
Additional Public Prosecutor for the State.
2. Petitioner, who is in custody since 04.01.2023 seeks
bail, in connection with Agamkuan P.S. Case No.815/2020, dated
16.11.2020, for the offences punishable under Sections 304B/34 of
the Indian Penal Code & Sections 3/4 of D.P. Act.
3. According to prosecution case, the petitioner along with
his family members are alleged to have killed the daughter of the
informant due to non-fulfillment of the demand of dowry.
4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been implicated in
the present case merely on the basis that the petitioner is husband of
the deceased. He further submits that 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. He further submits that from perusal of the paragraph-27 of the case diary, it appears that the deceased has committed suicide herself and in presence of the police officials the room in which the deceased has committed suicide was broken and the deceased was found hanging in the fan in her room. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 04.01.2023.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand have vehemently opposed the prayer for bail of the petitioner and submits that the family members of the petitioner had demanded dowry from the family members of the deceased and the death of the deceased occurred within seven years of her marriage in her matrimonial home.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail after framing of charge, if not framed, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Patna City, in connection with Agamkuan P.S. Case No.815/2020, 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 witnesses, 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 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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