

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60555 of 2023

Arising Out of PS. Case No.-139 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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Arvind Kumar @ Arbind Kumar Son Of Anil Ram @ Bhinku Ram Resident
Of Village- Rahua, P.S.- Sahebpur Kamal, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
25.05.2023 in connection with Sahebpur Kamal P.S. Case No.
139 of 2023, F.I.R. dated 24.05.2023 registered for the offence
punishable under Sections 302,34 of the Indian Penal Code.

3. Allegation is that the accused persons including the
petitioner caused death of the daughter of the informant due to
non-fulfilment of demand of dowry.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. The allegation as
alleged in the FIR is false and fabricated and the petitioner has



not committed any offence as alleged in the FIR. In fact some altercation took place between the petitioner and the deceased, who happens to be the wife of the petitioner and thereafter the victim has committed suicide herself and it has come during investigation in para-21 onwards of the case diary that the victim has committed suicide herself and the police, after investigation, submitted chargesheet bearing No.166 of 2023 dated 10.07.2023 under Section 306 of IPC and thereafter the learned court below vide order dated 04.09.2023 has taken cognizance under Section 306 of IPC and the petitioner is in custody since 25.05.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the postmortem report of the victim suggests that she has not committed suicide herself but fairly submits that the police, after investigation, submitted chargesheet under Section 306 of IPC and the learned court below has taken cognizance under Section 306 of IPC.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate-IV, Begusarai in connection with Sahebpur Kamal
P.S. Case No. 139 of 2023, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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