

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33188 of 2024

Arising Out of PS. Case No.-241 Year-2017 Thana- LALGANJ District- Vaishali

Rajiv Kumar@ Bablu Singh Son Of Sri Harendra Singh @ Late Harendra Prasad Singh Village- Kushadhe, P.S. -Lalganj, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vasant Vikas, Advocate
		Mr. Pranoy Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Mushtaque Alam, APP
For the Informant	:	Mr. Alok Kumar Alok, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 26-07-2024 Heard Mr. Vasant Vikas, learned counsel for the

Petitioner, Mr. Alok Kumar Alok, learned counsel for the

informant and Mr. Md. Mushtaque Alam, learned APP for the

State.

2. Petitioner seeks regular bail in connection with

Session Trial No. 725 of 2023, arising out of Lalganj P.S. Case

No. 241 of 2017 dated 06.10.2017 registered for the offences

punishable under Section(s) 304B and 201 read with Section 34

of the Indian Penal Code.

3. Mr. Vasant Vikas, learned counsel appearing for the

petitioner submits that he is the husband of the deceased, in

fact, the petitioner's wife died of her illness and in this regard

Annexure-2 is relevant. The marriage of the petitioner with the



deceased took place in the year, 2011 and between the period from the marriage and till the death of the deceased, there was no complaint on the part of the deceased or her family members. It is further submitted that out of 8 prosecution evidences, 6 witnesses went hostile and during the trial the informant filed a petition (Annexure-4) revealing that he lodged the F.I.R. due to misconception showing the innocence of the petitioner. It is further submitted that petitioner has been languishing in judicial custody since 01.11.2023.

4. Mr. Md. Mushtaque Alam, learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Mr. Alok Kumar Alok, learned counsel appearing for the informant has opposed the prayer for bail of the petitioner and submitted that the petitioner is husband of the deceased and against him there is specific allegation and the instant matter relates to dowry death and body of the deceased was cremated without getting the postmortem.

6. Having regard to the above submissions and mainly considering the fact that most of the witnesses have been examined and six witnesses out of 8 prosecution evidences went hostile and during the trial, the informant retracted his earlier allegation made by him in the F.I.R. by filing a petition and also



coupled with the stage of trial of the petitioner, let the petitioner named-above be enlarged on bail on furnishing of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Session Trial No. 725 of 2023, arising out of Lalganj P.S. Case No. 241 of 2017.

(Shailendra Singh, J)

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