

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31078 of 2023

Arising Out of PS. Case No.-153 Year-2022 Thana- IMAMGANJ District- Gaya

AMAN KUMAR Son of Anil Singh Resident of village - Jalaiya, Kujeshar,
P.S. - Imamganj, Distt. - Gaya (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Pandey, Advocate
For the Opposite Party/s	:	Mrs.Rina Sinha, APP
For the Informant	:	Mr. Ram Hridya Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

7 08-04-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.
Perused the case diary.

2. The petitioner seeks bail in Imamganj P.S. case No.
153 of 2022 instituted for the offences under Section 304-B of
the Indian Penal Code.

3. Prosecution allegation, in short, is that the accused
persons physically assaulted and tortured and thereafter
committed murder of the victim due to non-fulfillment of
demand of dowry.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. The



petitioner is husband of the deceased. Learned counsel for the petitioner submits that the victim was suffering from physical illness and she died in course of treatment and for which information was given to informant's side. There was no mark of injury on her body. The post-mortem report could not ascertain the cause of death. Learned counsel for the petitioner further submits that nothing has come in F.S.L. report against the petitioner. The petitioner is in custody since 22.08.2022 and has no criminal antecedent

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submits that no ante-mortem injury was found on the body of the deceased and nothing concrete has come in viscera report. Learned counsel for the informant submits that within three months of marriage, the victim was done to death at her matrimonial home. Many prosecution witnesses have supported the case.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the fact that nothing has come in viscera report, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing***



of charge, if not already framed, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Imamganj P.S. case No. 153 of 2022 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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