

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44574 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- AGIAON BAZAR District- Bhojpur

Rahul @ Sonu @ Sonu Sharma S/O Ramesh Sharma R/O Villae- Motidih,
P.S- Agiaon Bazar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 26-04-2024 Heard Mr. Awadhesh Kumar Pandey, learned
counsel for the petitioner and Mr. Yogendra Kumar, learned APP
for the State.

2. Petitioner seeks bail, who is in custody since
05.12.2022, in connection with Sessions Trial No. 181 of 2023
arising out of Agiaon Bazar P.S. Case No. 187 of 2022, F.I.R.
dated 04.12.2022 registered for the offences punishable under
Sections 304(B), 120(B), 34 of the Indian Penal Code.

3. Allegation against the petitioner is of causing
dowry death of his wife.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case merely on the ground that the
petitioner is the husband of the deceased. He further submits



that as per allegation in the F.I.R. the petitioner and other family members have committed murder of the deceased but the postmortem report does not support the allegation as alleged in the F.I.R. and even the viscera report does not corroborate the allegation as alleged in the F.I.R. He further submits that co-accused persons namely Sunil Sharma and Ramesh Sharma who are family members of the petitioners have been granted bail by a Coordinate Bench of this Court vide order dated 29.04.2023 passed in Cr. Misc. No. 15932 of 2023, another co-accused Laxuman Singh has been granted bail by this Court vide order dated 19.05.2023 passed in Cr. Misc. No. 11171 of 2023 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 05.12.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII, Bhojpur at Ara in



connection with Sessions Trial No. 181 of 2023 arising out of
Agiaon Bazar P.S. Case No. 187 of 2022, 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
witness, 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 antecedents, 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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