

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54825 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- SILAO District- Nalanda

KAUSHAL @ PREM RAJ @ KAUSHAL KUMAR SON OF SRI LALJI
RAVIDAS @ LALJIT RAVIDAS RESIDENT OF VILLAGE -
SHEKHPURA NARAYANPUR, P.S. - TELHARA, DISTRICT - NALANDA
... .. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv
Mrs. Vaishnavi Singh, Advocates
For the Opposite Party/s : Ms.Renu Kumari,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 24-10-2024 Heard Mr. Ajay Thakur, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection
with Sessions Trial No. 510 of 2024 arising out of Silao P.S.
Case No. 31 of 2024 for the offences punishable under Sections
304(B) of the Indian Penal Code lodged on 06.02.2024 by the
informant, Shivam Kumar.

3. As per the prosecution story, the informant alleged
that he along with his two sisters used to reside in a rented
house. One of his sisters (deceased) was married to this
petitioner and whenever he visited the rented house, used to
demand motorcycle. The deceased was in tension due to this and
on the fateful day, she closed her room. Both the informant as
also the petitioner firstly knocked the door and then broke open
it only to see her hanging to the ceiling fan. She was



immediately brought down, was alive, rushed to Pawapuri for treatment but died thereafter. The occurrence is of 06.02.2024 and immediately, thereafter, the petitioner came into custody (07.02.2024).

4. Learned counsel for the petitioner submits that only to implicate, the dowry theory is there, the FIR itself shows that the girl due to whatever reason committed suicide, he did not escape, rushed the wife to the hospital, unfortunately, she could not be saved. Immediately, thereafter he went into the judicial custody.

5. Learned APP opposes the prayer stating that he being the husband and the demand part is there, does not deserve bail.

6. Taking into account the aforesaid facts and also the contents of the FIR, the informant was present when the door was broke open, she was rushed to the hospital but could not be saved, he is in custody since 07.02.2024, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-VII, Nalanda in connection with



aforementioned P.S. Case, subject to the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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