

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76019 of 2024

Arising Out of PS. Case No.-119 Year-2022 Thana- NAUBATPUR District- Patna

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Suman Kumar @ Raja Son of Sanjay Paswan Resident of Aropur P.S-
Naubatpur District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Usha Kumari Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-12-2024 Heard Ms. Usha Kumari Singh, learned counsel for

the petitioner and Mr. Rajendra Singh, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
24.07.2022 in connection with Sessions Trial No. 205 of 2023
(arising out of Naubatpur P.S. Case No. 119 of 2022) F.I.R.
dated 01.03.2022 registered for the offences punishable under
Sections 304(B)/34 of the Indian Penal Code.

3. The allegation against the petitioner is of
committing torture and caused death to the daughter of the
informant due to non-fulfillment of demand of dowry.

4. Earlier the bail petition of the petitioner was
rejected vide order dated 14.07.2023 passed in Cr. Misc. No.
22541 of 2023. Thereafter, the petitioner has again moved for



bail before this Court which was dismissed as withdrawn.

5. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely been implicated in the present case. Although, there is allegation against the petitioner that he has committed the murder of his wife due to non-fulfillment of demand of dowry.

6. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. The petitioner is in custody since 24.07.2022 and the trial is not in progress.

7. Vide order dated 25.10.2024, a report was called for with regard to the stage of trial. The report of the learned Trial Court dated 26.11.2024 reveals that charge has been framed on 03.07.2023 and despite of thatailable warrant and Dasti summon were issued but no witness has been produced by the prosecution as yet.

8. Learned counsel for the petitioner submits that in view of the report of the learned Trial court that the trial is not concluded in near future and the petitioner is in custody since 24.07.2022 for more than two years.

9. Learned counsel for the State has vehemently opposed the prayer for bail of the petitioner.



10. Considering the facts and circumstances of the case as well as report of the Trial Court and the period of custody, 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 learned Additional District & Sessions Judge VI, Danapur in connection with Sessions Trial No. 205 of 2023 (arising out of Naubatpur P.S. Case No. 119 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(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/her 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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