

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76930 of 2024

Arising Out of PS. Case No.-108 Year-2020 Thana- PATEPUR District- Vaishali

Arjun Kumar Ram Son of Baidyanath Ram R/O Vill.- Karamwari, P.S.-
Paroo, Dist.- Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Session Trial No. 350 of 2022 arising out of Patepur P.S. Case No. 108 of 2020, registered for the alleged offence under Section 304(B) of the Indian Penal Code.

03. As per prosecution case, the daughter of the informant set herself on fire and subsequently died during her treatment in the hospital. In the meantime, she disclosed to the informant that the petitioner and her in-laws abused and threatened her that unless she would compromise the case filed earlier, they would not keep her. The informant further alleged that the petitioner and other co-accused persons used to torture her daughter on account of their demand of dowry.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and the same is apparent from the FIR itself. The charges have been framed under Section 304(B), 302, 306/34 of IPC against the petitioners and others. The event shows the deceased committed suicide without any instigation from her husband, the petitioner herein. There is no specific allegation against this petitioner and there has been no demand of dowry prior to death of the deceased and hence, no offence under Section 304B of the IPC is made out. From the facts of the case, it is also apparent that the death occurred at the house of the informant and it also appears that the daughter of the informant committed suicide without any rhyme and reason and the allegation against petitioner and other co-accused persons for instigating her is simply not believable. The petitioner is having antecedent of one complaint case. The petitioner is in custody since 04.06.2021.

05. Learned APP for the State vehemently opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioner and further



considering the period of custody of the petitioner and framing of charge, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XII, Vaishali at Hajipur in connection with Session Trial No. 350 of 2022 arising out of Patepur P.S. Case No. 108 of 2020, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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