

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16510 of 2025

Arising Out of PS. Case No.-645 Year-2024 Thana- NAGAR District- Vaishali

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Vivek Kumar Jha @ Banti Jha @ Vivekanand Kumar Jha S/O Sri Anand Jha
R/O Mohalla- Gandhinagar Harinagar, P.S- Hajipur Town, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh, Adv

For the Opposite Party/s : Mr. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 16-07-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 80, 238 and 3(5) of
the B.N.S.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the informant's
sister mentally and physically due to non-fulfillment of demand
of motorcycle as dowry. It was also alleged that on 07.08.2024,
the informant came to know that the named accused persons
including the petitioner have killed his sister and made her dead
body disappear.

4. Learned counsel for the petitioner has submitted
that the petitioner happens to be the husband of the deceased



and has falsely been implicated in the present case. It is further submitted that there is a delay of 15 days in lodging the FIR without giving any plausible reason. It is next submitted that the wife of the petitioner was suffering from respiratory disease and she was under treatment and she died because of such disease which would be evident from the prescription annexed with the supplementary affidavit filed on behalf of the petitioner. It is also submitted that the petitioner performed love marriage with the deceased (Priti Kumari) and there was no allegation of any sort of demand of dowry. It is lastly submitted that the petitioner has clean antecedent and is in custody since 05.12.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the death of the victim has occurred within seven months of the marriage, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and also taking into account the fact that even during the course of investigation nothing has come against the petitioner to connect him with the present incident, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned,



Vaishali, in connection with Hajipur Town P.S. Case No. 645 of
2024, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) The learned 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 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.

7. The application stands allowed.

(Sourendra Pandey, J)

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