

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17722 of 2025

Arising Out of PS. Case No.-29 Year-2024 Thana- Baijnathpur District- Saharsa

=====

Suman Kumar Son of Bhim Sutihar @ Bhim Sharma @ Bhiam Sharma
Resident of Village- Barahi, Ward No. 14, P.S.- Baijnathpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the State : Mr. Shailendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-05-2025 Heard Mr. Binod Kumar Sinha, learned counsel for the

petitioner and Mr. Shailendra Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 27.04.2024, in connection with Sessions Trial No. 295 of 2024 arising out of Baijnathpur P.S. Case No. 29 of 2024, F.I.R. dated 23.04.2024 registered for the offences punishable under Sections 302, 304B, 34 of the Indian Penal Code.

3. Allegation against the petitioner is of committing torture and caused death due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. The petitioner is in custody since 27.04.2024 and the allegation as alleged in the F.I.R. is false and fabricated



and the petitioner has not committed any offence as alleged in the F.I.R. Informant is not an eye witness of the alleged occurrence and it has come during investigation in paragraph nos. 88 and 89 of the case diary that the petitioner was not present at the time of occurrence and it has also come during investigation that the deceased has committed suicide herself and apart from that co-accused person namely Manju Devi who happens to be the mother of the petitioner and mother-in-law of the deceased has been granted the privilege of anticipatory bail by this Court vide order dated 22.03.2025 passed in Cr. Misc. No. 75496 of 2024.

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 and the fact that the petitioner having clean antecedent and no any material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the witnesses have deposed that the deceased has committed suicide herself and petitioner was not present at the time of occurrence, 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 3rd, Saharsa in connection with Sessions Trial No. 295 of 2024 arising out of Baijnathpur P.S. Case No. 29 of 2024,



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)

Ibrar//-

U		T	
---	--	---	--

