

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31514 of 2025

Arising Out of PS. Case No.-255 Year-2024 Thana- GARDANIBAG District- Patna

Sonu Kumar, S/o Shri Raju Prasad, R/o Pathaar Gali, Gardanibagh, P.S.-
Gardanibagh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 06-08-2025 Heard the parties.

2. The petitioner seeks regular bail, who is in custody in connection with Gardanibagh P.S. Case No.255 of 2024 registered for the offences punishable under Sections 498-A, 323, 341, 304-B, 201 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. The prosecution case moved on a complaint petition filed by the father of the deceased, which was later on sent to the concerned police station and thereupon the F.I.R. has been registered with an allegation that the marriage of the deceased was solemnized with the petitioner on 10.07.2022. Despite the sufficient dowry extended at the time of marriage, they kept on demanding dowry and later on when the deceased became pregnant, the accused persons ousted her from the



matrimonial house. However, after reconciliation and with the help of the family and friend, she was again left to the matrimonial house. On 16.06.2023, allegedly all the accused persons, including the petitioner, caused the death of the deceased, thereupon complaint case was filed.

4. Learned Advocate for the petitioner contended that the story, which has been made out in the complaint petition is otherwise. In fact, the deceased was taken away to her paternal house, as she was having pregnancy of four months and later on on account of certain complications, she was taken to hospital, where her condition started deteriorating and finally she died. When this information was given to the petitioner, he rushed to the hospital and thereafter cremation was done on 16.06.2023 itself. However, at that point of time none of the persons have instituted the F.I.R. or filed any complaint case, but later on, on account of certain differences, the present complaint case has been instituted after a delay of eight days. He further submitted that during the course of investigation, statement of independent witnesses were recorded, who have categorically stated that in fact the deceased died during the course of treatment and no role has been assigned to the petitioner. The petitioner has been incarcerated since 03.09.2024 and now the charge-sheet has



already been submitted.

5. On the other hand, learned APP for the State and informant vehemently oppose the bail application and submit that within a year the deceased was done to death by the petitioner and his family members. In fact, soon after the occurrence, the informant went to police station on 17.06.2023, but the F.I.R. was not registered by the concerned officer-in-charge, the informant has also filed an application before the Senior Superintendent of Police, Patna and, later on, on being found no way out, the complainant filed the present complaint.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of materials collected during the course of investigation, as also the statement of independent witnesses as well as death certificate and the register entry of the Patna Municipal Corporation at Gulbighat suggesting that the petitioner was all along present at the time of cremation and now he has been in custody for over a period of eleven months, let the petitioner, named above, be released 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 Additional Sessions Judge-II, Patna in connection with Gardanibagh P.S. Case No.255 of 2024, subject



to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

uday/-

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

