

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33586 of 2025

Arising Out of PS. Case No.-89 Year-2022 Thana- BHAGWANPUR District- Vaishali

Akhilesh Kumar S/o- Ram Babu Mahto Village- Lodipur, P.S. Goraul,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard the learned counsel for the petitioner and
the learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection
with Bhagwanpur P.S. Case No. 89 of 2022, registered for
the offences punishable under Sections 304(B)/34 of the
Indian Penal Code.

3. As per the prosecution case, the informant's
sister was married to one Anil Kumar. Thereafter, the
accused persons are alleged to have been demanding dowry
and due to non-fulfillment of the same, it is alleged that the
accused persons murdered the sister of the informant.

4. The learned counsel for the petitioner submits
that petitioner is innocent and has falsely been implicated in
this case. He further submits that admittedly he happens to
be the cousin (Fufera bhai) of the husband of the deceased,



namely, Anil Kumar. It is next submitted that even from the perusal of the FIR, the allegations are general and omnibus and the petitioner not being the immediate family member and a resident of a different village can't in all possibility commit such a kind of offence. It has further been submitted that the father-in-law of the deceased has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 23.08.2024, passed in Criminal Misc. No. 59480 of 2025. It has lastly been submitted that the petitioner has clean antecedent and is in custody since 23.09.2024.

5. The learned A.P.P. for the State has opposed the prayer for bail and has stated that the petitioner is the named accused person.

6. Considering the aforesaid submissions made by parties and taking into account that the petitioner happens to be the cousin of the husband of the deceased and also considering the period of custody, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on



bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bhagwanpur P.S. Case No. 89 of 2022, subject to the following conditions:-

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

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(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 cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) 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.

(Sourendra Pandey, J)

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