

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34726 of 2025**

Arising Out of PS. Case No.-26 Year-2018 Thana- KADWA District- Katihar

Raju Yadav son of Late Sahni Yadav Village -Sonali Bazar, Kartiya Gola, PS  
-Kadwa, District -Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                        |
|--------------------------|---|----------------------------------------|
| For the Petitioner/s     | : | Mr. Krishna Prasad Singh, Sr. Advocate |
|                          | : | Mr. Rakesh Singh, Advocate             |
| For the Opposite Party/s | : | Mr. Shyam Bihari Singh, APP            |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      11-07-2025                      Heard Mr. Krishna Prasad Singh, learned senior  
counsel for the petitioner and Mr. Shyam Bihar Singh learned  
A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since  
16.02.2018 in connection with Sessions Trial No.328 of 2018  
arising out of Kadwa P.S. Case No. 26 of 2018, F.I.R. dated  
28.01.2018 registered for the offence punishable under Sections  
498(A), 307, 34 of IPC and Section 4 of the Dowry Prohibition  
Act, later on Section 304(B), 302 of the I.P.C. was added.

3. The victim in her fardbeyan alleges that on account  
of non-fulfillment of demand of dowry made by her husband,  
she has been set on fire after sprinkling Kerosene oil.

4. Learned senior counsel for the petitioner submits



that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that despite the petitioner is in custody since 16.02.2018, but the trial is not concluded as yet. From a bare perusal of the impugned order, it appears that out of 12 witnesses, 10 witnesses have been examined. Further submits that in view of the aforesaid, there is no chance of early conclusion of the trial in the near future and the petitioner is in custody since 16.02.2018.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits the name of the petitioner has been transpired in the present case merely on the basis of the dying declaration of the victim.

6. Considering the aforesaid fact, petitioner has clean antecedent as well as period of custody, 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 learned District Additional Sessions Judge-III, Katihar in connection with Sessions Trial No.328 of 2018 arising out of Kadwa P.S. Case No. 26 of 2018, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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 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.

**(Rajesh Kumar Verma, J)**

anand/-

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