

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33761 of 2025

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

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Soni Kumari D/o Late Sahni Yadav R/o Village- Sonali Bazar, Kartiya Tola,
P.S.- Kadwa, District Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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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

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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. Earlier the prayer for bail of the petitioner was
rejected by this Court vide order dated 27.07.2022 passed in Cr.
Misc. No.9984 of 2022.

3. The petitioner seeks bail, who is in custody since
04.10.2018 in connection with Sessions Trial No.64 of 2019
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.



4. 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.

5. Vide order dated 20.06.2025, a report was called for with regard to the stage of the trial. Report of the learned Trial Court dated 27.06.2025 reveals that the case is pending for evidence on behalf of the prosecution and out of seven charge-sheet witnesses, three witnesses have been examined and the case is pending for the examination of the rest prosecution witnesses.

6. Learned senior counsel for the petitioner submits that the petitioner has clean antecedent and she has falsely been implicated in the present case. Further submits that despite the petitioner is in custody since, 04.10.2018, but the trial is not concluded as yet. Further submits that in view of report of the learned Trial Court, it appears that there is no chance of early conclusion of the the trial in near future and the petitioner is in custody since 04.10.2018 about six years nine months and the petitioner is unmarried sister-in-law of the deceased.

7. 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 on the basis of the dying



declaration of the victim.

8. Considering the aforesaid fact, petitioner has clean antecedent, 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.64 of 2019 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/her 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)

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