

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34720 of 2025

Arising Out of PS. Case No.-139 Year-2023 Thana- KOTWA District- East Champaran

Suman Kumar Son of Dasharath Mahto Resident of Village and P.S.- Kotwa,
District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 12-11-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Kotwa P.S. Case No. 139 of 2023, registered for the
offences punishable under Sections 302, 328, 34 of the IPC.

3. According to the FIR, the marriage of the petitioner
was solemnized with the deceased eight years prior to the
lodging of the FIR. The accused persons were demanding dowry
of a motorcycle, and due to non-fulfillment of the demand, they
forcibly administered poisonous substance to the deceased.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated.
The independent witnesses in paragraph nos. 16 and 17 of the
case diary have stated that the husband and wife usually



quarreled over the mobile phone. They have also stated that on the date of occurrence, the petitioner was at his workplace in West Bengal. He has further submitted that the alleged demand for dowry was made after eight years of marriage. The couple was blessed with two children. He has also submitted that the family members of the petitioner brought the deceased to the hospital, which shows their innocence. He has next submitted that when the informant came to know the real fact, he filed compromise petition, i.e., Annexure 2.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Kotwa P.S. Case No. 139 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

7. The petitioner shall physically appear before the learned court below on each and every date. In case of failure



on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Nawneet Kumar Pandey, J)

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