

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46693 of 2025

Arising Out of PS. Case No.-153 Year-2019 Thana- KATHAIYA District- Muzaffarpur

Prabhat Kumar Singh Son of Devendra Singh R/O Village- Paroha, P.S.-
Kathaiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Bela Singh, Advocate
For the State	:	Ms. Anita Kumari, APP
For the Informant	:	Mr. Priyesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-08-2025 Heard Ms. Bela Singh, learned counsel for the petitioner, Mr. Priyesh Kumar, learned counsel for the informant and Ms. Anita Kumari, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 06.08.2022 in connection with S.T. No. 904 of 2022 arising out of Kathiya P.S. Case No. 153 of 2019, F.I.R. dated 12.09.2019 for the offences punishable under Sections 304B, 34 of the IPC.

3. According to prosecution case, the petitioner along with other co-accused persons is said to have tortured and killed the daughter of the informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that earlier, the petitioner has moved before this Court for his bail in



Cr. Misc. No. 66863 of 2022 which was dismissed by this Court vide order dated 08.05.2023.

5. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He has been made accused in the present case merely on the ground that he is the husband of the deceased. He further submits that charge has been framed against the petitioner on 14.02.2023 under Section 304B, 34 of the IPC but the trial has not been concluded as yet.

6. Vide order dated 11.07.2025, a report was called for with regard to the present stage of trial. Report of the learned Trial Court dated 29.07.2025 reveals that out of 7 charge-sheet witnesses, only two witnesses have been examined and the case is pending for the examination of remaining five prosecution witnesses.

7. Learned counsel for the petitioner referring to the report of the learned Trial Court submits that the trial is not likely to be concluded in near future and the petitioner is in custody since 06.08.2022 i.e. more than three years.

8. The learned counsel appearing on behalf of the



informant as well as learned Additional Public Prosecutor for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is the main culprit in the present occurrence and apart from that the petitioner carries one more case other than the present one which was filed by the deceased in the year 2018 against the petitioner under Section 498 A of the IPC.

9. Considering the aforesaid facts and circumstances, report of the learned Trial Court and 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 the learned 13th Additional Sessions Judge, Muzaffarpur in connection with S.T. No. 904 of 2022 arising out of Kathiya P.S. Case No. 153 of 2019, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

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