

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40791 of 2025

Arising Out of PS. Case No.-388 Year-2023 Thana- BAHADURGANJ District- Kishanganj

Sunil Kumar Harijan S/o Sona Lal Harijan Resident of village - Birniya, Ward
No.02, P.S. - Bahadurganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with ST No.
132 of 2024 arising out of Bahadurganj P.S. Case No. 388 of
2023 instituted for the offences under Sections 498A, 302,
304B of the Indian Penal Code.

3. Prosecution case, in short, is that the petitioner
alongwith the family members tortured and killed the deceased
for the non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is the husband of the deceased. Learned counsel for
the petitioner submitted that general and omnibus allegation has



been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that, as a matter of fact, the deceased committed suicide and this petitioner is being dragged in this case due to malicious motive of the informant. He further submitted that as per post-mortem report, no external injury was found on the body of the deceased except ligature mark in the neck. After investigation, charge-sheet has been submitted in this case under Sections 498A, 304 of the Indian Penal Code whereas charges have also been framed against the petitioner under Sections 304B, 498A, 302, 306 of the Indian Penal Code. Learned counsel further submitted that out of eight witnesses, three have already been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.04.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the charges being framed under Sections 304B, 498A, 302, 306 of the Indian Penal Code as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with ST No. 132 of 2024 arising out of Bahadurganj P.S. Case No. 388 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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