

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46502 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- VAISHALI District- Vaishali

Sikendra Rai @ Sakindra Kumar S/o Dashrath Rai Resident of Village-
Khedanpura, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-07-2025

Heard the parties.

2. The petitioner is in custody in connection with Vaishali P.S. Case No. 354 of 2024 for the offence punishable under sections 85, 103(1), 238A/3(5) of BNS, 2023.

3. As per the prosecution story, the lady was married to the petitioner in the year 2013 but was always tortured for dowry. The allegation is that they killed her and mortal remains were consigned to the flames without any information to the informant's side. This led to the FIR.

4. Subsequently, the petitioner who is the husband was apprehended and he accepted that the lady committed suicide and in a haste, they consigned the dead body to flames.

5. Learned counsel for the petitioner submits that though she was suffering from illness, the Police forced to get



confession about her committing suicide. He however, accepts that the family members were not informed before the dead body was consigned to flames. For that, he has already suffered by being in custody since 08.09.2024, has no criminal antecedent and shall be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that they chose to dispose of the body without any information to the informant's side even if it is assumed that the lady committed suicide.

7. Considering the submissions of the parties as also the fact that has been narrated above, he is in custody since 08.09.2024 having no criminal antecedent, has remained in custody for almost ten months, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Court of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 354 of 2024 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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