

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50908 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- POTHIA District- Kishanganj

Shamshad Son of Rafik Village- Ramaniyapokhar Ps- Pothia District
-Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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

ORAL ORDER

3 14-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
S.Tr.No. 171 of 2025 arising out of Pothia P.S. Case No. 59 of
2025 instituted for the offences under Sections 80(2), 103(1),
61(2) of the Bharatiya Nyaya Sanhita, 2023.

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 submits 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 the allegation of torture and demand of dowry is totally false and fabricated. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.03.2025 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 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, ***after framing of charge, if not already framed***, 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 S.Tr.No. 171 of 2025 arising out of Pothia P.S. Case No. 59 of 2025, 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/-

U		T	
---	--	---	--

