

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53176 of 2025

Arising Out of PS. Case No.-569 Year-2023 Thana- RAJAON District- Banka

=====

Kailash Kumar @ Kailash Sharma S/O Ajay Sharma @ Ajay Tanti R/O
Village- Ramchandrapur, P.O- Bhadariya, P.S- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Murlidhar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

=====

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

ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Rajaun
P.S. Case No. 569 of 2023, instituted for the offences punishable
under Sections 306/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant
suspects that the accused persons including the petitioner after
hatching a conspiracy gave poison to daughter of the informant
due to which she died in course of treatment.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submits that
the allegation levelled against the petitioner is general and
omnibus in nature and specific allegation of providing medicine
to the deceased is against co-accused, namely, Sapna Devi. The



petitioner has been implicated in this case due to the reason that the deceased had shown her willingness to get married to the petitioner against the will of her family members. The petitioner is in custody since 28.01.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 05.07.2024 passed in Cr. Misc. No. 35507 of 2024.

5. Learned APP 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 and taking into account 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajaun P.S. Case No. 569 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

