

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60682 of 2025

Arising Out of PS. Case No.-105 Year-2023 Thana- BUNIYAD GANJ District- Gaya

Suraj Kumar S/o Ashok Goswami @ Ashok Gosai R/o Village - Baiju Bigha
Badki Pain, P.S - Buniyadganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Buniyadganj P.S. Case No. 105 of 2023 registered for the offences under Sections 304(B) and 201/34 of the Indian Penal Code.

3. As per prosecution case, sister of the informant was married with co-accused Deepak Goswami, co-accused brother of the petitioner and allegation against the petitioner and other co-accused persons is of torturing the sister of the informant on account of their dowry demand and lastly on 24.03.2023, the petitioner and other co-accused persons committed dowry death of the sister of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. Petitioner is the brother-in-law of the deceased and there is no demand of dowry by the petitioner. Husband and parents-in-law of the deceased were acquitted vide judgment dated 28.06.2024 by the Additional Sessions Judge-VI, Gaya. In course of trial, 3 accused persons and 8 witnesses were examined including the informant and his family members and they did not support the prosecution version. Rather, PW-1 has clearly submitted that his sister died due to disease and he along with his family members attended the funeral of his sister. Moreover, petitioner is living separate from his brother and he has no concern with the family affairs of his brother. Petitioner never demanded any dowry nor tortured the deceased in any manner and the prosecution case is not believable. Petitioner is in custody since 19.06.2025 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the relationship of the petitioner with the deceased and further considering the general and non-specific nature of allegation and further considering the acquittal of co-accused persons and



also considering the period of custody of the petitioner coupled with his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned ACJM-VIII, Gaya/concerned court in connection with Buniyadganj P.S. Case No. 105 of 2023, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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