

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61290 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- BEN P.S. District- Nalanda

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Dharamveer Kumar @ Chhotu Son of Radhe Shyam Prasad @ Radhe Prasad
Resident of village - Kohua, P.S.- Ben, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ben P.S. Case No. 94 of 2024 dated 19.07.2024 registered for the offences punishable u/ss 80(2), 61(2) read with Section 3(5) of the B.N.S.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have committed murder of the informant's sister by administering poison to her due to non-fulfillment of demand of dowry. It is further alleged that the petitioner had illicit relationship with one Bibha Devi.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. There is a delay of six days in lodging the F.I.R. and there is no explanation for this delay. The petitioner is the husband of the deceased and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the informant's sister. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is the husband of the deceased and he along with the co-accused persons committed murder of his wife due to non-fulfillment of demand of dowry. As per the post-mortem report of the deceased, on external examination- bluish coloration of both hand, nail and both toe present. Bluish discoloration of ear lobe, lips and tongue present. Rest abdominal and thoracic organs were mildly pale. The opinion regarding cause of death was kept reserved. Learned counsel has further submitted that the viscera was preserved. Earlier the regular bail petition of the petitioner has been rejected by this Court vide order dated 24.03.2025 passed in Cr. Misc. No. 13772 of 2025.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nalanda at Biharsharif in connection with Ben P.S. Case No. 94 of 2024, with a condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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