

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77678 of 2024

Arising Out of PS. Case No.-296 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

Sonu Kumar S/o- Late Ganga Singh @ Gaya Singh Village- Basudeopur,
(Chandpura), P.S- Begusarai Muffasil Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shubhesh Pandey, Adv.
For the State	:	Ms. Renu Kumari, APP
For the Informant	:	Mr. Ranjeet Kr. Singh, Adv.

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

ORAL ORDER

7 02-04-2025 Heard learned counsel for the petitioner and Ms.

Renu Kumari, learned APP for the State as also learned

counsel for the Informant. Perused the case diary.

2. The petitioner seeks bail in connection with

Begusarai Muffasil P.S. Case No. 296 of 2024 instituted for

the offences under Sections 103(1), 238, 3(5) of the B.N.S.

3. As per prosecution case, the accusation against

the accused persons including the petitioner is of torturing

and ultimately committing murder of the deceased due to

non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is the husband of the deceased. He further submits that the date of occurrence is 21.07.2024 but, the F.I.R. has been instituted on 22.07.2024 which creates doubt in the veracity of the prosecution case. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence as, at the time of occurrence, the petitioner was at Ranchi. Learned counsel for the petitioner further submits that as a matter of fact, the police has opined the present case to be true under Section 108 of the B.N.S. as has been stated in Para-40 of the case diary and, for that, there is no evidence in the entire case records against the petitioner. He further points out that as a matter of fact, the deceased has committed suicide by consuming poison under frustration and the Informant has concealed the same. He further submits that the Informant has lodged the case after completion of the funeral ceremony of the deceased which creates doubt in



the prosecution case. During entire investigation, none of the people of the locality has supported the prosecution case rather they all have categorically stated that the deceased has committed suicide. There is no independent witness to the alleged occurrence rather the same are interested witnesses. The petitioner has no criminal antecedent and is languishing in judicial custody since 29.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The petitioner is the husband of the deceased. The Informant in the re-statement contained in Para-3 of the case diary and witnesses in Para 4 & 5 of the case diary have supported the prosecution case. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 103(1)/238/3(5) of the B.N.S. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also there being no specific allegation against the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Begusarai Muffasil P.S. Case No. 296 of 2024.

(Rudra Prakash Mishra, J)

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