IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4474 of 2025

Arising Out of PS. Case No.-355 Year-2022 Thana- PHULWARISHARIF District- Patna

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Niranjan Kumar S/o Sanjay Rai R/O- Alampur, P.S- Phulwari Sharif, Distt- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Ranjan, Advocate
Md. Farukh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 19-09-2025 Heard Md. Farukh, learned counsel for the petition and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioner is in judicial custody in connection with Phulwarisharif P.S. Case No. 355 of 2022 for the offences punishable under Sections 304(B), 34 of the Indian Penal Code and ¾ of the Dowry Prohibition Act lodged on 08.04.2022 by the informant, Ram Naresh Rai.

3. As per the prosecution story, the informant alleged that his daughter was married with this petitioner in the year 2017 and dowry was given but still the demand was always there for another amount as also a piece of land. She was regularly abused and on the fateful day, she called her elder sister and apprehended that she may be killed. Later, the next day, when they reach the in-laws house, found her dead.

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Accordingly, the F.I.R.

4. It is the submission of the petitioner that the lady was mentally ill, depressed and in a fit of anger, suicide.

5. Learned counsel for the petitioner submits that he is continuously in custody since 19.04.2022, is ready to once again go to jail if convicted, shall at no point of time try to delay the conclusion of trial. Further he has no criminal antecedent.

6. Learned APP on the other hand opposes the prayer submitting that she was tortured for dowry and the fact that she was mentally ill is an afterthought of the petitioner. It is his further submission that the trial is at the fag end.

7. Taking into account the aforesaid facts as also his period of custody, though the case is at argument stage, he has remained in jail for more than three and half years, in that background, this Court is inclined to extend him the privilege of bail with conditions;

8. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XIII, Patna in connection with Phulwarisharif P.S. Case No. 355 of 2022 subject to the following conditions;

(i) one of the bailor should be the family

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members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight till the conclusion of the trial.

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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