

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48762 of 2025**

Arising Out of PS. Case No.-224 Year-2024 Thana- SARMERA District- Nalanda

RAVI KUMAR S/o- Chandeshwar Pandit Village- Kotra Ps- Sarmera
Dist- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr Pankaj, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 09-01-2026 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Sarmera P.S. Case No. 224 of 2024 (G.R. No.
6591/2024) registered for the offences under Sections
80(2), 123, 238, 3(5) of the Bhartiya Nyay Sanhita, 2023
(in short, the ‘B.N.S.’).

3. The accused/petitioner is named in the First
Information Report and is in custody since **26.10.2024**.

4. Allegation against the petitioner is to cause
death of daughter of the informant due to non-fulfillment of
demand of dowry as raised for a cash of Rs. Five Lakhs and
one golden chain alongwith other family members/co-



accused.

5. It is submitted by learned counsel appearing on behalf of the petitioner that the wife of petitioner was a short tempered lady and due to certain family quarrel she committed suicide by consuming poison.

6. It is submitted that on seeing the deteriorating condition of the wife, petitioner admitted her in Universal Emergency Hospital & Trauma Centre, Kumhrar, Patna where she was treated but could not survived. In support of his submission, learned counsel relied upon **Annexure P/3 series**, which is the admission and medical receipt of Universal Hospital and Trauma Centre, Patna. It is further submitted that the dead body was received by maternal uncle of the deceased and her husband, where the maternal uncle of the deceased categorically expressed his desire in writing that he is not desirous to conduct post-mortem upon the deceased.

7. Arguing further, it is pointed out that all family members were present at the time of cremation and therefore nothing was concealed.



8. It is further submitted that after cremation as an afterthought, when primary discussion *qua* partition of property related with share of childrens of deceased was not accepted by the father/family of petitioner, with a delay of five days for the alleged occurrence which took place on 03.10.2024, the present FIR was lodged on 08.10.2024, without any just explanation.

9. Arguing further, it is further submitted that despite of custody of about one year and three months only two prosecution witnesses were examined and, therefore, the progress of trial in itself sufficient to suggest that same could not conclude in near future.

10. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

11. Learned A.P.P. for the State, while opposing the prayer for bail of the petitioner, submitted that petitioner is the husband of the daughter of the informant



facing specific allegation.

12. In view of aforesaid factual submission and by taking note of the fact as FIR in issue was lodged with a delay of five days, coupled with the fact that despite of custody of about one year and three months, only two prosecution witnesses were examined suggesting *prima facie* that trial of this case is not likely to conclude in near future, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif/concerned court, in connection with Sarmera P.S. Case No. 224 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

13. The learned trial court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation



of bail bond of the petitioner. However, the acceptance of
bail bonds in terms of the above-mentioned order shall not
be delayed for purpose of or in the name of verification.

(Chandra Shekhar Jha, J)

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