

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80701 of 2025

Arising Out of PS. Case No.-170 Year-2006 Thana- BHAGWAN BAZAR District- Saran

Dadan Mishra S/O Krishna Ballabh R/O Village- Madhopur Khodaibag, P.S.-
Madhaura, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhileshwar Pandey, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2026 Heard Mr. Akhileshwar Pandey, learned counsel for
the petitioner and Mr. Kanhaiya Kishore, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
11.07.2025 in connection with Session Trial No. 768 of 2025,
arising out of Bhagwan Bazar P.S. Case No. 170 of 2006, F.I.R.
dated 06.09.2025 for the offences punishable under Sections
304(B)/34 of the Indian Penal Code.

3. According to prosecution case, petitioner and other
co-accused persons are alleged to have tortured and killed the
daughter of the complainant for demand of one motorcycle as
dowry.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in this case. The allegation as alleged in the F.I.R. is



false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that Police have submitted final form in favour of the petitioner and not sent for trial vide Final Form No. 23/2007 dated 07.02.2007 but the learned court below on the basis of Protest Petition in a mechanical manner has taken cognizance against the petitioner. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 11.07.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and also the fact that the petitioner has clean antecedent and the Police have submitted final form in favour of the petitioner but the learned court below has taken cognizance against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 12th, Saran at Chapra in connection with Session Trial No. 768 of 2025, arising out of Bhagwan Bazar P.S. Case No. 170 of 2006, with the following conditions:

i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below 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.

(Rajesh Kumar Verma, J)

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