

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74304 of 2025

Arising Out of PS. Case No.-159 Year-2025 Thana- BELAGANJ District- Gaya

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Pankaj Kumar @ Shudhanshu Kumar S/o Sidh Nath Singh Resident of village
- Kanchanpur, P.S.- Belaganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dewanand Tiwari, Advocate
For the Informant	:	Mr. Ranjeet Kumar, Advocate
For the State	:	Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 25-03-2026 Heard Mr. Dewanand Tiwari, learned counsel for the

petitioner, Mr. Ranjeet Kumar, learned counsel for the Informant

and Mr. Raj Kishor Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
22.04.2025, in connection with Belaganj P.S. Case No. 159 of
2025, F.I.R. dated 19.03.2025 registered for the offences
punishable under Sections 80(2), 352, 351(2), 3(5) of the B.N.S.

3. Allegation against the petitioner is of committing
torture and caused death due to non-fulfillment of demand of
dowry.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that 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. and petitioner has been made accused merely on the ground that the petitioner is husband of the deceased. In fact, the deceased has committed suicide herself and after the death of the deceased the petitioner files several representations before the Senior Superintendent of Police, Gaya for fair enquiry. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.04.2025 but the trial is not in progress.

5. Vide order dated 18.02.2026, a report was called for with regard to the stage of the trial. Report dated 28.02.2026 of the learned Trial court reveals that the case is pending at the stage of evidence and altogether five prosecution witnesses in total in the present trial but no witnesses have been examined till now by the prosecution, although the Court has given a direction to the learned Additional Public Prosecutor to produce witnesses as soon as possible.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial court, there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 22.04.2025 almost one year.



7. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is the husband of the deceased and he has committed the crime in question and apart from aforesaid the postmortem report of the deceased supports the allegation as alleged in the F.I.R.

8. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 159 of 2025, subject to the following conditions :-

(1) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.



(3) 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 antecedents, 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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