

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80418 of 2025**

Arising Out of PS. Case No.-174 Year-2025 Thana- HILSA District- Nalanda

=====

Kundan Kumar S/o Sohray Bind R/o Villaage- Sultanpur, P.S.- Hilsa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

=====

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

ORAL ORDER

5      20-02-2026                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Hilsa P.S. Case No. 174 of 2025 instituted for the offences under Sections 80(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3, 4 of the D.P. Act.

3. Prosecution case, in short, is that the petitioner alongwith the family members tortured and killed the deceased for the non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is the husband of the deceased. Learned counsel for the petitioner submitted that general and omnibus allegation has



been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that, as a matter of fact, the deceased herself consumed poison due to which she died and this petitioner never tortured or threatened her. Learned counsel further submitted that as per post-mortem report, there is no external injury on the body of the deceased and the cause of the death is kept reserved. Charge-sheet has been submitted in this case and charge has also been framed against the petitioner. Learned counsel further submitted that as per the material available in the case diary, several witnesses have supported the fact that deceased herself committed suicide. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.06.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, material available in the case diary as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of



Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hilsa P.S. Case No. 174 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

