

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85763 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- Dhobaha District- Bhojpur

Shambhu Nath Prasad Son of Late Tarkeshwar Prasad Resident of Village -
Baghipakar, P.S.- Dhobaha, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 25-03-2026 Heard Mr. Binod Kumar Singh, learned counsel for
the petitioner as well as Mr. Pradeep Narain Kumar, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.09.2025 in connection with Dhobaha P.S. Case No. 05 of
2025, F.I.R. dated 05.01.2025 for the offences punishable under
Sections 103(1) and 238 of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, it is alleged that the
petitioner along with other accused persons killed the daughter
of the informant by administering poison to her due to non-
fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The statement of second daughter



of the informant who was present in the house of the deceased at the time of occurrence was recorded under Section 183 BNSS and in paragraph no.29 of the case diary in which she has categorically stated that after fight between the deceased and petitioner, the petitioner proceeded towards shop for work and some other person had given poison to the deceased and she raised suspicion against the mother-in-law and sister-in-law of the deceased in committing the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 04.09.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and it has come during investigation that the petitioner was not present at the place of occurrence, 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 Chief Judicial Magistrate, Bhojpur, Ara in connection with Dhobaha P.S. Case No. 05 of 2025, subject to 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 his absence on two consecutive dates without sufficient reason, his 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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