

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86872 of 2025

Arising Out of PS. Case No.-539 Year-2024 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Sachin Prasad S/O Shambhu Mahto R/o vill- Bhaidi, P.S.- Katri Sarai Distt-
Nalanda, AtPresent Mohalla- Gandhi Nagar, Mirzapur, P.S. and Dist.-
Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kusum Devi W/O Ganesh Prasad R/O Mohalla- Post Mortem Road, Shiv
Nagar, P.S. and Dist.- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Subodh Prasad, Advocate
For the State	:	Mrs. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Mr. Subodh Prasad, learned counsel for the

petitioner and Mrs. Pronoti Singh, learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 539 of 2024 dated
18.05.2024 registered for the offences punishable under
Sections 304(B), 201, 120(B)/34 of the Indian Penal Code.

3. Allegation against the petitioner is of committing
torture and caused death of the victim 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 complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition. In fact, the deceased namely, Kriti Kumari has been admitted in emergency condition in Dharamsheela Devi Multispeciality Hospital, Nawada on 23.02.2024 but she later on died on 28.02.2024 and the dead body was received by her husband (petitioner) and father of the complainant, namely, Ganesh Prasad who happens to be the father of the deceased and petitioner has been made accused merely on the ground that the petitioner is the husband of the deceased. Learned counsel for the petitioner further submits that it appears from the complaint petition that the same has been filed on 18.05.2024 after delay of about three months afterthought only to falsely implicate the petitioner and his family members and co-accused persons namely Shambhu Mahto and Mina Devi who happens to be the father the mother of the petitioner have been granted anticipatory bail by the learned Court below itself.

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

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and



the present complaint petition has been filed after delay of about three months and husband of the complainant has received the dead body of the deceased in the Hospital which suggests that he was present at the time of her death, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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, Nawada in connection with Complaint Case No. 539 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other 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 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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