

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1760 of 2026

Arising Out of PS. Case No.-60 Year-2023 Thana- BALIGAON District- Vaishali

Sonu Kumar S/O Suresh Rai Resident OF Village- Chak Dohari, P.s.-
Baligaon, Dist.- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shivjee Singh, Advocate
For the State	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Subhash Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-03-2026 Heard Mr. Shivjee Singh, learned counsel for the petitioner, Mr. Subhash Pandey, learned counsel for the informant and Mr. Anil Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 25.09.2023 in connection with Sessions Trial No. 69 of 2024, arising out of Baligaon P.S. Case No. 60 of 2023, F.I.R. dated 28.05.2023 for the offences punishable under Sections 304(B), 201/34 of the Indian Penal Code but the charge has been framed u/s 304(B) of the Indian Penal Code

3. Earlier, the prayer for regular bail of the petitioner was rejected by this Court vide order dated 02.08.2024 passed in Cr. Misc. No. 48144/2024 and second regular bail application of the petitioner was dismissed for default by this Court vide order



dated 26.09.2025 passed in Cr. Misc. No. 77816 of 2025.

4. According to prosecution case, petitioner along with other co-accused persons are said to have tortured the daughter of the informant on non-fulfillment of demand of dowry.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and the petitioner has been made accused in the present case merely on the ground that the petitioner is the husband of he deceased. Similarly situated co-accused persons, namely, Sangeeta Devi and other co-accused persons have been granted anticipatory bail by this Court vide order dated 27.02.2024 passed in Cr. Misc. No. 62897 of 2023. Learned counsel further submits that the petitioner is in judicial custody since 25.09.2023 and trial is not in progress.

6. Vide order dated 16.01.2026, a report was called for with regard to the stage of trial. Report dated 29.01.2026 of the learned Trial Court reveals that despite of issuing summons,ailable warrant etc., prosecution has not examined any witnesses as yet.



7. Learned counsel further submits that in view of report of learned trial court, it appears that the trial is not likely to be concluded in the near future and the petitioner is in custody since 25.09.2023 for about two and half years.

8. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail.

9. Considering the aforesaid facts and circumstances and also the fact that the petitioner has clean antecedent, report of the learned trial court and period of custody of 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-V, Vaishali at Hajipur, in connection with Sessions Trial No. 69 of 2024, arising out of Baligaon P.S. Case No. 60 of 2023, 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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