

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.429 of 2026

Arising Out of PS. Case No.-117 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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Mohan Ray S/O Late Bhola Ray R/O Village- Raghunathpur, P.S- Sahebpur
Kamal, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rabi Bhushan, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-03-2026 Heard Mr. Rabi Bhushan, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP

representing the State.

2. The petitioner is in custody in connection with
S.Kamal P.S. Case No. 117 of 2024 for the offence punishable
under Sections 304B, 498A and 34 of the Indian Penal Code,
lodged on 27.04.2024 by the informant Nago Yadav.

3. As per the prosecution story, the informant alleged
that the marriage of the daughter was solemnized in the year
2020 with Abhimanyu Kumar. He was residing in Delhi for his
livelihood but the family was torturing the daughter for dowry.
On 25.04.2024, while she was pregnant, was killed. They tried
to conceal the dead body, the Police was informed, reached the



place, dead body was recovered and sent for post mortem at Sadar Hospital, Begusarai. This followed the F.I.R..

4. Earlier, the bail application of the petitioner was rejected on 19.04.2025 vide Cr. Misc. No. 3032 of 2025 and this is second petition.

5. A report was called for from the Trial Court and the letter dated 22.01.2026 shows that two out of five witnesses have been examined.

6. Learned counsel for the petitioner submits that he do not have criminal antecedent, only two out of five witnesses have been examined and if granted bail, he shall be diligently appearing in trial and failure to do so, appropriate steps be taken for cancellation of his bail bond.

7. Learned APP opposes the prayer submitting that allegation of torture which followed her mysterious death cannot be ignored. He however concede that the husband is in custody.

8. Considering the submissions of the parties as also that he do not have criminal antecedent and is in custody since 03.08.2024 and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail.



9. It is made clear that failure to appear in the Trial Court, immediate steps be taken for cancellation of his bail.

10. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with S.Kamal P.S. Case No. 117 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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