

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5723 of 2026

Arising Out of PS. Case No.-58 Year-2023 Thana- HILSA District- Nalanda

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Ajit Sharma @ Ajit Kumar S/O Late Basant Sharma R/O Village/Mohalla-
Sahad Kuan, P.S- Hilsa, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-04-2026 Heard Mr.Tej Narayan Singh, learned counsel for

the petitioner and Mr.Shahabuddin Azeem @ S. Azeem, learned

Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
16.07.2025 in connection with Hilsa P.S. Case No. 58 of 2023,
F.I.R. dated 01.02.2023 registered for the offence punishable
under Sections 304(B),328,120(B) of IPC.

3. Allegation against the petitioner is that he
alongwith other co-accused persons have in furtherance of their
common intention committed the dowry death of the daughter
of the informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. 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 he has been made accused in the present case merely on the ground that he is husband of the deceased. Learned counsel for the petitioner submits that the victim has died in the hospital on 18.11.2022 and the present FIR has been instituted on 01.02.2023 after delay of more than 45 days. Learned counsel for the petitioner submits that it has come during investigation in paragraph-51 and 52 of the case diary that the victim has faced some complication and she has taken some medicine and family members of the petitioner brought her to hospital and she was admitted in Panshila Hospital at Patna where she has died on 18.11.2022. Learned counsel for the petitioner further submits that it has come during investigation in paragraph-60 of the case diary that the Doctor, who has treated the deceased, has been examined and he has not stated anything against the petitioner apart from that, the medical death certificate (Annexure-P/2) was issued by the Panchila Hospital on 18.11.2022 which reveals that the cause of death is cardio pulmonary arrest which suggests that she has died due to natural death and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 16.07.2025.



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

6. Considering the aforesaid facts and petitioner has clean antecedent, 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 learned A.C.J.M.-1, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 58 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 his/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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