

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85830 of 2019

Arising Out of PS. Case No.-10 Year-2016 Thana- TARIYANI CHOWK District- Sheohar

SUKHARI RAI @ RAKESH RAI Son of Ramadhar Rai Resident of Village -
Surgahi, P.S.- Tariyani, Distt.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 28-05-2020 (The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.)

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Sections 304(B),
201/34 of the I.P.C.

Petitioner had earlier moved this Court for
anticipatory bail vide Cr. Misc. No. 28312 of 2019 which was
dismissed on 22.07.2019.

Allegation against petitioner and other co-accused is
of killing the sister of informant due to non-fulfillment of
demand of dowry.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that his sister was ill and was under medical treatment and she died during treatment. Police has submitted the final form however court took cognizance against the petitioner. Similarly placed co-accused have already been granted anticipatory bail by the court below. Petitioner has no criminal antecedent and is in custody since 27.09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount to the satisfaction of learned court below, in connection with Tariyani P.S. Case No. 10 of 2016 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will



be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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