

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49072 of 2021

Arising Out of PS. Case No.-146 Year-2020 Thana- RAMNAGAR District- West Champaran

SANTOSH BASFOR @ SANTOSH, Son of Lorik Pasfor Resident of Village
- Danmarwa, P.S.- Ramnagar, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with T.R. No.2193 of 2021, arising out of Ramnagar P.S. Case No.146 of 2020 registered for the offences punishable under Sections 304(B), 34 of the Indian Penal Code.

As per the prosecution case against the petitioner is of burning to death of the daughter of the informant. From perusal of the ferdbeyand of informant, Suresh Basfor, the daughter of the informant has been burn by pouring kerosene oil by the husband and other co-accused persons of her matrimonial home

due to non-fulfillment of demand of dowry. It has further been alleged that on that day of occurrence, the deceased and her husband quarreled to each other and due to which this occurrence took place.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. The petitioner elder brother of the husband of the deceased. He further submits that co-accused, namely, Lorik Basphot @ Lorik Bosfor has been granted privilege of anticipatory bail by the Coordinate Bench of this Court vide order dated 26.03.2021 passed in Cr. Misc. No.31930 of 2020. Petitioner is in custody since 20.09.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Addl. Chief Judicial Magistrate-I, Bagaha, West Champaran, in connection with Ramnagar P.S. Case No.146 of 2020, subject to the 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 witnesses, 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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