

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3402 of 2022

Arising Out of PS. Case No.-140 Year-2021 Thana- MAHUA District- Vaishali

RAVI RAKESH Son of Avadhesh Singh Resident of Village- Kanhauli, P.S.-
Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 304(B), 201 and 120(B) of the Indian
Penal Code.

The daughter of the informant is said to have been
killed on account of non- fulfillment of demand of dowry made by
the petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
there general and omnibus allegation against the petitioner and
no specific allegation of assault or any overt act is attributed to
him nor any demand of dowry was made by the petitioner. He



further submits that there is no eye witness to the alleged occurrence. He further submits that as a matter of fact, the deceased had herself committed suicide. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 29.07.2021.

Learned counsel for the informant and learned A.P.P. for the State have opposed the prayer for bail of the petitioner and submitted that the marriage between the petitioner and the deceased was solemnized in the year 2018 and the present occurrence has been committed in the year 2021 which is within seven years of marriage, therefore the offence is serious in nature. He further submits that the petitioner happens to be husband of the deceased and he is solely responsible for the alleged offence and the witnesses have also supported the prosecution version, therefore, he may not be allowed to be enlarged on bail.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mahua P.S. Case No. 140 of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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