

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11570 of 2022

Arising Out of PS. Case No.-107 Year-2015 Thana- MURLIGANJ District- Madhepura

Shravan Rai Son of Kameshwar Rai, R/o Village- Pakilpar, P.S.- Murliganj,
District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-09-2022 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 a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 498A, 304B, 120B, 34 of
the Indian Penal Code and Section 3/4 of Dowry Prohibition
Act.

According to prosecution case, the petitioner along
with accused persons are said to be tortured the daughter of the
informant on non-fulfillment of demand of dowry and
subsequently they done to death over non-fulfillment of their
demand.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that in fact the petitioner is the husband of the deceased and he has no concern at all with the alleged occurrence. He further submits that in fact it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including the petitioner and in fact the deceased has committed suicide, she herself consumed poison.

Vide order dated 16.08.2022 a report was called for with regard to the present stage of trial. Report dated 30.08.2022 reveals that the case is pending for appearance of other co-accused persons.

Learned counsel for the petitioner submits that in view of the report that the trial is not concluded in near future and the petitioner is in custody since 25.08.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Murliganj P.S. Case No. 107 2015,



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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