

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18450 of 2022**

Arising Out of PS. Case No.-362 Year-2018 Thana- SAKRA District- Muzaffarpur

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Basant Ram S/o Late Dashrath Ram R/o village- Lohargama, P.S.- Sakra
(Bariyarpur O.P.), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 19-09-2022 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 304 (B)/ 34 of the Indian
Penal Code.

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 only on the basis of suspicion. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against the petitioner and in fact the petitioner is the husband of the deceased. He further submits that no cogent material has come during investigation against the petitioner and the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Sant Ram, Deepak Kumar and Rita Devi have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 07.12.2021 passed in Cr. Misc. No. 530 of 2021. The petitioner is in custody since 22.11.2021.

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 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 Sakra P.S. Case No. 362 of 2018, 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)

Mdrashid/
Vanisha

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