

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23027 of 2022

Arising Out of PS. Case No.-643 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

Ram Prasad Bharti Son of Late Rudal Bharti Resident of Village - Raja Chapra, P.s.- Chapra Mufasil, Distt.- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Harendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 03-08-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

Petitioner seeks regular bail in connection with Chapra Muffasil P.S. case no. 643 of 2021 registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

As per allegation the informant's daughter aged about 21 years was strangled to death by this petitioner and his son and according to informant the victim was physically tortured by the accused persons including the petitioner for the dowry demand of Rs. 50,000/- and eventually they killed the victim on



account of their demand having been not fulfilled by the victim.

The main submissions advanced by Mr. Awadesh Kumar Singh, learned counsel for the petitioner are that petitioner is father-in-law of the deceased and 70 years old person, at the time of alleged occurrence he was living separate from his son and he had no concern with the alleged demand of dowry and against him there is no specific allegation.

Mr. Harendra Prasad, learned APP for the State has opposed the prayer for bail.

Having heard both the sides and perused the FIR. As per FIR the petitioner is 70 year old persons and any specific act or role of the petitioner in committing the alleged dowry death has not been mentioned in the FIR and the allegation made against him appears to be general and omnibus and he has a relationship of father-in-law with the deceased and he has taken the plea that at the time of alleged occurrence he had been living separate in mess and other affairs from husband of the deceased. In the light of these facts as well as considering custody period of petitioner, in my view a lenient approach can be taken in respect of petitioner's prayer let the petitioner 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



concerned Court in connection with Chapra Muffasil P.S. case No. 643 of 2021 on 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 below and shall remain physically present as directed by the Court below 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 tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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