

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24052 of 2022

Arising Out of PS. Case No.-222 Year-2020 Thana- BATHNAHA District- Sitamarhi

1. Ram Pravesh Sah Son of Ramveer Sah Resident of Village - Sirshia, P.S.-
Bathanaha, District - Sitamarhi.
2. Ramveer Sah Son of Late Bilash Sah Resident of Village - Sirshia, P.S.-
Bathanaha, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-11-2022 Heard learned counsel for the petitioners 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.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Section 304(B) and
201/34 of the Indian Penal Code.

According to prosecution case, the petitioners 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 petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that it appears from F.I.R. that there is general and omnibus allegation against the petitioners and there is no specific allegation of demand of dowry and in fact the petitioner no.1 is brother-in-law of the deceased and petitioner no.2 is father-in-law of the deceased and they have no concern with the family affairs of the husband of the deceased and husband of the deceased is in custody.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that there is no material has come in the case diary against the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bathanha P.S. Case No. 222 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also 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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