

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24625 of 2022

Arising Out of PS. Case No.-738 Year-2021 Thana- SIKARPUR District- West Champaran

Firoz Rai @ Firoz Ray S/O Nathu Ray Resident of Ward No. 13, Village-
Pakari, Harditerha, P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vatsal Verma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-11-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Shikarpur P.S. Case No. 738 of 2021 lodged under Sections 304
(B)/34 of the I.P.C.

As per the prosecution case, the informant has stated
that marriage of her daughter was solemnized with the petitioner
but there was demand of dowry. Informant has filed this case
against 7 named accused persons that under conspiracy for
dowry, they killed the informant's daughter by strangulating her
with the help of rope.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 29.12.2021 having clean antecedent. He submits that the story alleged in the F.I.R. is absolutely false and the truth is otherwise. He submits that on 04.11.2020 a male child was born to the deceased but due to various health complications, the said child died just after 3 days of birth. Due to which the deceased suffered from mental trauma and she was frustrated due to which her health deteriorated. He further submits that the family of the informant are well versed with said event, due to the reason that the mother of the informant and the petitioner are cousin sisters. He further submits it is due to the said frustration, the deceased has taken extreme step and committed suicide. Learned counsel submits that the finding of the post-mortem report categorically states that this death is due to hanging.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah,

West Champaran in connection with Shikarpur P.S. Case No. 738 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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