

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34566 of 2021

Arising Out of PS. Case No.-350 Year-2019 Thana- DINARA District- Rohtas

Sonu Kumar Patel, S/o Surendra Rai Resident of Village- Semari, P.S.-
Dinara, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in Virtual Court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Dinara P.S.
Case No.350 of 2019, corresponding to S.Tr. No. 67 of 2021
registered for the offences punishable under Sections 302, 201,
34 of the Indian Penal Code.

According to prosecution case, the sister of the
informant was married to the petitioner and out of their
wedlock, they have two sons. It is further alleged that from last
six month all accused persons were making demand of Rs. 2
lacs from his sister. Thereafter, the informant got information
about the death of his sister and all the accused persons along
with the petitioner were trying to dispose of the dead body of his
sister.



Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that there is no specific allegation against the petitioner. Petitioner is made accused only on the basis of the fact that victim was the wife of the petitioner. There is general and omnibus allegation against the petitioner. He further submits that in fact the deceased has committed suicide in absence of husband and other family members. He further submits that the informant received information on 25.12.2019 but the present FIR has been lodged on 29.12.2019. He further submits that the police after investigation submitted chargesheet against the petitioner under Section 306 of the Indian Penal Code. Petitioner is in custody since 03.10.2020.

The learned Additional Public Prosecutor opposed the prayer for bail.

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 19th Additional Sessions Judge, Rohtas as Sasaram in connection with S.Tr. No. 67 of 2021 arising out of Dinara P.S. Case No. 350 of 2019, 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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