

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 34513 of 2021**

Arising Out of PS. Case No.-355 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

PAPPU RAY S/o Rajdeo Ray R/o village- Manua, P.S.- Hajipur Sadar,
District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Adv.

For the Opposite Party/s : Ms. Rita Verma, APP.

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

4 15-02-2022 Let the defects, if any, be removed within four
weeks of start of normal functioning of the physical court.

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

Petitioner seeks bail in connection with Hajipur
Sadar P.S. Case No. 355/2020 registered for the offences
punishable under Sections 363, 364 of the Indian Penal and
¾ of the Dowry Prohibition Act.

The prosecution story in brief is that according to
F.I.R, the informant has alleged that her natni was married
with Pappu Rai in the year 2011. When she went to meet her
natni at her matrimonial house, the accused persons named in
FIR told that her natni had gone to Bank and she has not
come back. It is alleged that all accused persons have kept



her secretly for dowry.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He has further submitted that petitioner is the husband of the victim lady. He has further submitted that on 25.05.2020 victim had gone to bank and she did not return but in fact the petitioner has already filed an information petition before the concerned police station on 27.05.2020 but police did not take any action. He further submits that Investigating Officer has submitted the charge-sheet against the petitioner and another co-accused persons. He further submits that the co-accused namely, Rajdeo Rai, Chandrika Devi, Kundan Rai and Chandan Rai have been granted privilege of anticipatory bail by the court below in A.B.P. No. 2955/2020 vide order dated 06.02.2021. It is further submit that another co-accused namely Meena Devi @ Rajmanee Devi and Bipin Kumar have also been granted privilege of anticipatory bail vide order dated 23.03.2021 in A.B.P. No. 860/2021 by the court below. That the petitioner is in custody since 12.02.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.



Considering the aforesaid facts and circumstances as well as period of custody, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 355 of 2020, 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.

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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