

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34500 of 2021

Arising Out of PS. Case No.-136 Year-2019 Thana- RAJAOLI District- Nawada

UDAY SAO @ UDAY KUMAR Son of Late Om Prakash Sao Resident of
Village - Rajauli, Nichli Bazar, P.S.- Rajauli, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Durgesh Nandan, Adv.
For the State	:	Mr. Nirmal Kumar Sinha, APP
For the Informant	:	Mr. Sheo Kumar Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 28-02-2022 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned APP for the State.

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

The petitioner seeks bail in connection with Rajauli
P.S. Case No.136 of 2019 registered for the offence punishable
under Sections 304B/34 of the IPC.

The prosecution case in short is that petitioner along
with his parents committed murder of the informant's sister due
to non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has clean antecedent and he has falsely
been implicated in the present case only on the ground that
petitioner happens to be husband of the deceased. He further



submits that there is general and omnibus allegation against the petitioner. Learned counsel for the petitioner further submits that charge sheet has been submitted against the petitioner and is in custody since 15.02.2021. He further submits that co-accused, namely, Rahul Kumar has been granted anticipatory bail by co-ordinate Bench of this Hon'ble Court vide order dated 03.07.2020 passed in Cr. Misc. No.7308/2020.

Learned APP for the State on the basis of the material available on the record and the case diary has fairly submits that there is no sufficient material against the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Rajauli P.S. Case No.136 of 2019 with 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/her absence on two consecutive dates without sufficient reason, his/her 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 steps 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)

Prakash Narayan /-

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