

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28184 of 2022**

Arising Out of PS. Case No.-152 Year-2021 Thana- MUSRIGHRARI District- Samastipur

UMESH RAI Son of Late Amrit Roy Resident of village - Morwadih, P.S. -  
Musharigharari, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

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

2      26-08-2022                      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 a period of four weeks from today.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 304B/34 of the Indian Penal  
Code.

According to prosecution case, as per the F.I.R. is that  
all the accused persons including this petitioner subjected to  
cruelty and torture with daughter of informant namely Manjita  
Kumari for non-fulfillment of dowry demand of one motorcycle  
and cash of Rs. 2 lakh, killed his daughter by hanging after  
assaulting her.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is the father-in-law of the deceased and petitioner has no concern at all with the family affairs of the deceased. He further submits that in fact the victim has committed suicide herself and husband of the deceased is in custody. He further submits that there is general and omnibus allegation against all the accused persons including this petitioner and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 07.01.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 Court below where the case is pending in connection with Musrigharari P.S. Case No. 152 of 2021, corresponding to G.R. No. 2742 of 2021, 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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