

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37784 of 2021

Arising Out of PS. Case No.-191 Year-2020 Thana- DHAKA District- East Champaran

DURGA DAS Son of Jagdev Das Resident of Vilage- Lahan Dhaka, P.S. -
Dhaka, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor 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.

Petitioner seeks bail in connection with Dhaka P.S. Case No. 191 of 2020 registered for the offences punishable under Sections 304B, 201/34 of the IPC.

The gist of the prosecution case is that informant's daughter was married with the petitioner and for non-fulfilment of demand of motorcycle in dowry, the accused persons including the petitioner killed the informant's daughter.

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 it appears from the FIR that there is general and omnibus allegation against all the accused persons. He further submits that there is nothing specific against the petitioner. He further submits that police after investigation submitted charge sheet against the petitioner and other co-accused persons and the petitioner is in custody since 18.06.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail, **after framing of the charge**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Sikarhana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 191 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.

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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