

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30833 of 2022**

Arising Out of PS. Case No.-148 Year-2021 Thana- THARTHARI District- Nalanda

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PACHU PRASAD @ PACHU BIND @ BACCHU VIND SON OF LATE
BECHAN PRASAD @ BECHAN BIND RESIDENT OF VILLAGE-
KENUA PAR, P.S. THARTHARI, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh, Adv.
For the Opposite Party/s : Mr. Madhuri Lata, APP

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

2 30-08-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 304(B), 120(B) and 34 of the
Indian Penal Code.

The sister of the informant is subjected to assault
and torture on account of non-fulfillment of demand of
dowry and she has finally been done to death by the
petitioner and others.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. In fact,
the petitioner happens to be father-in-law of the deceased



and he has never demanded any dowry nor he has assaulted the deceased in any manner. There is general and omnibus allegation against the petitioner and no specific allegation of any overt act is attributed to him. He further submits that the informant is not the eye witness to the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 19.02.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner is said to be father-in-law of the deceased and he has also played crucial role in the alleged occurrence.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Tharthari P.S. Case No. 148 of 2021 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 canceled 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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