

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33326 of 2022

Arising Out of PS. Case No.-144 Year-2021 Thana- EKMA District- Saran

Raju Prasad @ Raju Kumar S/O Late Rambabu Prasad R/O Village-
Parsagadh, P.S.- Ekma, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 304(B), 302 of the Indian
Penal Code.

According to prosecution case, the daughter of the
informant Rani Kumari was married with the petitioner. The
petitioner along with the other accused persons used to demand
cash of Rs. 5 lakh in dowry. It is further alleged that due to non
fulfillment of the dowry demand the petitioner and other used to
torture her by various ways and killed her.

Learned counsel for the petitioner submits that



petitioner has got clean antecedent and he has falsely been implicated in the present case only on the ground that he is husband of the deceased. He further submits that the deceased died during the course of treatment in presence of the informant and entire family members of the deceased. He further submits that in fact the petitioner was not present on the date of occurrence and he was present at Pune and he came from Pune on 06.04.2021. Learned counsel for the petitioner produced air ticket in support of the contention. He further submits that there is no specific allegation against the petitioner and there is general and omnibus allegation against all the accused persons including the petitioner, and the police, after investigation, submitted charge sheet. The petitioner is in custody since 02.04.2022.

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 Ekma P.S. Case No. 144 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)

Ravi/vanisha/-

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