

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37447 of 2022

Arising Out of PS. Case No.-164 Year-2021 Thana- TARARI District- Bhojpur

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Pramod Kumar @ Pramod Ray Son Of Late Haridwar Ray R/O Village-
Kharauna, P.S.- Tarari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar Ray, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant.

The petitioner seeks regular bail in connection with
Tarari P.S. Case No. 164 of 2021, lodged under Sections
304(B)/34 of the Indian Penal Code.

As per the prosecution case, the allegation of dowry
death is there in the F.I.R., the informant is brother of the
deceased who has made allegation against the entire family
member including the brother-in-law (*Bhaisur*) of the deceased.

Learned counsel for the petitioner submits that
petitioner is the brother-in-law (*Bhaisur*) of the deceased having
separate establishment. Learned counsel for the petitioner

further submits that husband of deceased is in custody. He further submits that there is a general and omnibus allegation against all the accused persons in the F.I.R. He further submits that petitioner is in custody since 24.09.2021, having clean antecedent and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that the present petitioner is the sole person due to which this occurrence took place.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate/ Judicial Magistrate, Bhojpur, Ara in connection with Tarari P.S. Case No. 164 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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