

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37899 of 2022**

Arising Out of PS. Case No.-217 Year-2020 Thana- KHAIRA District- Saran

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Bhola Rai Son Of Ramnath Rai R/O Village- Rauza, P.S.- Town Chapra,  
Distt.- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sudama Kumar, Adv.  
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      23-09-2022                      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.

The petitioner seeks regular bail in connection with  
Khaira P.S. Case No. 217 of 2020 lodged under Sections  
304(B), 34 of the I.P.C. and 3/4 of the Dowry Prohibition Act.

As per the prosecution case, the allegation is that the  
accused persons including petitioners caused death of the  
daughter of the informant due to non-fulfillment of dowry  
demand. Learned counsel for the petitioner submits that the  
petitioner is the brother-in-law (*Bhaisur*) of the deceased. He  
further submits that the *bhaisur* is living separately from that of  
his brother and his brother's wife. Learned counsel for the

petitioner submits that petitioner is innocent. Petitioner is in custody since 03.03.2022. There is one criminal case pending against the petitioner in which he is on bail, which is of Excise Act.

Learned counsel for the petitioner submits that the Co-ordinate Bench of this Court has pleased to grant bail to the husband of the deceased vide order dated 23.08.2021 in Cr. Misc. No. 8686 of 2021. He further submits that the death of the deceased has actually caused due to snake bite.

Vide Annexure-4 a compromise petition has also been filed in this case.

Learned counsel for the State opposes the prayer for bail.

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 Judicial Magistrate-1st Class, Chapra in connection with Khaira P.S. Case No. 217 of 2020, 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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