

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46646 of 2021

Arising Out of PS. Case No.-50 Year-2021 Thana- PIPRA District- East Champaran

RAM CHANDRA GIRI Son of Late Daroga Giri Resident of Village -
Sohanpura, P.S.- Pipra, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Pipra
P.S. Case No. 50 of 2021/ G.R. No. 902 of 2021 registered for
the offence under Sections 302, 201, 120B and 34 of the
Indian Penal Code.

The daughter of the informant is said to have been
killed on account of non-fulfillment of demand of dowry 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. As a matter of fact, the deceased has died due to diarrhoea. He further submits that there is no eye witness to the alleged occurrence and the petitioner has been living separately from the deceased and his son. Moreover, co-accused, namely, Ratan Giri @ Ratan Kumar Giri and Satahi Devi @ Chandra Jyoti Devi have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 23.12.2021 passed in Cr. Misc. No. 46796 of 2021. The petitioner, is rotting in judicial custody since 08.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 C.J.M., Motihari, East Champaran in connection with Pipra P.S. Case No. 50 of 2021/ G.R. No. 902 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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