

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39113 of 2022

Arising Out of PS. Case No.-660 Year-2020 Thana- MAHUA District- Vaishali

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DHANANJAY KUMAR Son of Jai Prakash Rai Resident of village -
Rasulpur Mobarak, P.S.- Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-11-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Mahua
P.S. Case No. 660/2020 registered for the offences punishable
under Sections 498-A, 302, 201 of the Indian Penal Code.

As per prosecution case, petitioner and others alleged
to have committed murder of informant's daughter due to non-
fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to ulterior motive of the informant. The petitioner is
languishing in custody since 25.03.2022 and bears no criminal



antecedent. The petitioner is Chachera Devar (cousin brother-in-law of (Devar) of the deceased. He was not concerned with the deceased and her family members at all. There is general and omnibus allegation against the petitioner. He further submits that the deceased and her husband, Ramesh Kumar were living separately at posting of her husband. Co-accused Mahciya Devi has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No. 28316/2021 and the case of present petitioner stands on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Mahua P.S. Case No.660/2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the



affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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