

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48643 of 2021**

Arising Out of PS. Case No.-21 Year-2021 Thana- MAHESI District- East Champaran

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RUPLAL RAI S/O LATE RAM PRASAD RAI R/o village- Manhan Chapra,
P.S.- Mehshi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv

For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 18-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code, 1860.

Allegation against the petitioner is of committing torture and caused death of the victim due to non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the petitioner is father-in-law of



the deceased and he is living separately from his son and the deceased. He further submits that it appears from the FIR that there is general and omnibus allegation against the petitioner. There is no specific allegation attributed against the petitioner and the similarly situated co-accused, namely, Sindhu Devi has been granted privilege of anticipatory bail vide order dated 17.08.2021 in Cr. Misc. No. 39993 of 2021 by a Coordinate Bench of this Hon'ble Court and the petitioner is in custody since 01.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Mahesi Police Station Case No.21 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 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.

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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