

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50277 of 2021

Arising Out of PS. Case No.-119 Year-2021 Thana- PIPRAHI District- Sheohar

SUMANT CHAUBE Son of Sri Gauri Shankar Choube Resident of Village-
Parsauni Baij, P.S.- Piprahi, Dist- Sheohar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 304B and 34 of the Indian Penal
Code.

The sister of the informant is subjected to torture
and assault and she has been done to death 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. He further submits that there general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him. Moreover, the petitioner has been living separately from the deceased and his son after partition. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. He further submits that the co-accused, namely, Nilam Devi has already been granted bail by a co-ordinate Bench of this Court vide order dated 01.04.2022 passed in Cr. Misc. No. 55920 of 2021. The petitioner is rotting in judicial custody since 07.06.2021.

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 Court below where the case is pending in connection with Piprahi P.S. Case No. 119 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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