

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41461 of 2022

Arising Out of PS. Case No.-227 Year-2022 Thana- BAGHA District- West Champaran

HAJRAT ANSARI Son of Late Sahid Ansari Resident of Village - Patkhauli,
P.s.- Bagaha (Patkhauli), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimlesh Kumar Pandey
For the State	:	Mr.Bharat Bhushan
For the Informant		Mr. Anand Kishore Choudhary
		Mr. Dhananjay Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 17-11-2022 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, learned counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in connection with Bagaha (Patkhauli) P.S. Case No. 227 of 2022 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

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

Learned counsel for the petitioner submits that petitioner is in custody since 05.04.2022 and bears no criminal



antecedent. There is no specific allegation against the petitioner rather the same is general and vague. He further submits that petitioner has been falsely implicated in the case being father-in-law of the deceased. He further submits that petitioner being father-in-law of the deceased resides separately since several years back from the family of the deceased and her husband. He further submits that petitioner is separate from mess and property and there is no interference by the petitioner in the family affairs of the deceased and her husband. He further submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

Learned counsel for the informant and learned A.P.P. for the State oppose the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, petitioner being father-in-law of the deceased is residing separately and has no concern with the family affairs of the deceased and her husband, as submitted, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the



material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Bagaha, West Champaran in connection with Bagaha (Patkhauri) P.S. Case No. 227 of 2022, 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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