

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41888 of 2022

Arising Out of PS. Case No.-393 Year-2019 Thana- TEGHRHA District- Begusarai

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Dheeraj Mishra @ Dhiraj Kumar @ Dhiraj Kumar Mishra Son of Jata
Shankar Mishra Resident of Village - Sonedeepey, P.s.- Balia, Distt.-
Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-12-2022 Learned counsel for the petitioner is permitted to

remove the defects, as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in a case

registered for the offences punishable under Sections 306, 34 of

the Indian Penal Code.

As per prosecution case, in short, is that the son of the

informant committed suicide after coming from his wife's

paternal home on anger as his in-laws quarreled with him there.

Learned counsel for the petitioner submits that the

petitioner has clean antecedents and he has been falsely



implicated in the present case. He further submits that it appears from the F.I.R. that there is no specific allegation against the petitioner and in fact the petitioner is brother-in-law of the deceased and the petitioner has no concern at all with the family affairs of the deceased and no cogent material has come during investigation against the petitioner.

Learned APP for the State has opposed the prayer for bail of the petitioner but fairly submits that no cogent material has come during investigation against the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Court below where the case is pending in connection with Teghra P.S. Case No. 393 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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