

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52174 of 2021

Arising Out of PS. Case No.-50 Year-2021 Thana- PIPRA District- East Champaran

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SONE LAL GIRI SON OF RAM CHANDRA GIRI R/O VILLAGE-
SOHANPURA, P.S.- PIPRA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 11-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

A supplementary affidavit bringing on record
necessary fact has been filed on behalf of the petitioner, which
forms part of this application.

The petitioner seeks bail in a case registered for the
offence under Sections 302, 201 and 120B and 34 of the Indian
Penal Code.

The daughter of the informant is said to have been
killed by the petitioner on account of non-fulfillment of demand
of dowry.

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 husband of the deceased and he never assaulted the deceased nor he demanded any dowry from his wife-deceased in any manner. No specific allegation of any overt act is attributed to the petitioner rather general and omnibus allegation is attributed to him. He further submits that there is no eye witness to the alleged occurrence. He further submits that the son of the deceased, namely, Adarsh Kumar is properly residing with his uncle Ratan Giri, who is brother of the petitioner, and his Grand mother. The petitioner is rotting in judicial custody since 08.06.2021.

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 Pipra P.S. Case No. 50 of 2021/ G.R. No. 902 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.

(3) The learned court below shall verify the fact that whether son of the deceased, namely, Adarsh Kumar, is properly residing with the brother of the petitioner and mother-in-law of the deceased or not.

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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