

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52999 of 2021

Arising Out of PS. Case No.-420 Year-2021 Thana- TURKAULIYA District- East
Champaran

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SANJAY MISHRA SON OF NAVAL KISHOR MISHRA R/O VILLAGE-
PIPRA, P.S.- GOVINDGANJ, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-01-2022 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 the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Turkauliya (Raghunathpur) P.S. Case No. 420 of 2021
registered for the offence under Sections 304(B), 201/34 of
the Indian Penal Code.

The daughter of the informant is subjected to
torture and assault on account of non-fulfillment of demand
of dowry and she was finally done to death.

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 maternal father-in-law of the deceased and he has no concern with the alleged occurrence. Neither the petitioner has demanded any dowry nor he has assaulted the deceased in any manner. No specific allegation of assault is attributed to the petitioner rather general and omnibus allegation based on suspicion has been levelled against him which is evident from the F.I.R. itself. The petitioner is rotting in judicial custody since 16.07.2021.

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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya (Raghunathpur) P.S. Case No. 420 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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