

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44700 of 2022**

Arising Out of PS. Case No.-529 Year-2021 Thana- BARACHATTI District- Gaya

NARESH SHARMA @ NARESH SINGH SON OF LATE DHHOLAN
SINGH R/O VILLAGE- KHUTOURA, P.S.- MOHANPUR, DISTT.- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 05-12-2022 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 and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Barachatti P.S. Case No. 529 of 2021 registered for the offences
punishable under Sections 304(B), 34 of the Indian Penal Code.

As per prosecution case, petitioner alongwith other
co-accused persons committed murder of informant's sister by
cutting her neck for non fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner is in custody since 25.05.2022. Petitioner bears no
criminal antecedent. Learned counsel further submits that
allegation against the petitioner is general and omnibus in



nature. There is no specific allegation against the petitioner. Petitioner has falsely been implicated in the case just because he is father-in-law of the deceased. Learned counsel further submits that the petitioner is living separately from the deceased and her husband and has no concern or has no say in the family affairs of the deceased. Petitioner is quite innocent.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner, petitioner having no say in the family affairs of the deceased as submitted, arguments advanced on behalf of the parties 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 ACJM, Sherghati, Gaya in connection with Barachatti P.S. Case No. 529 of 2021, 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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