

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.54713 of 2021**

Arising Out of PS. Case No.-38 Year-2021 Thana- EKANGARSARAI  
District- Nalanda

=====

Dhuri Mistry S/o Late Ramshary Mistry R/o village- Karanganj, P.S.-  
Ekangarsarai, Distt.- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

**Appearance :**

For the Petitioner : Mr. Ramji Kumar, Advocate

For the State : Mr. Anil Kumar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
ORAL ORDER

3      06-04-2022                      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 learned  
APP for the State.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 304(B)/34 of the Indian  
Penal Code.

As per prosecution case, it is alleged that informant  
Dharamveer Kumar Sharma had married his sister Geeta Devi to  
Jitendra Mistry according to Hindu customs. At the time of  
marriage the informant gave gold, silver, cash and articles as  
dowry but despite this the sister of the informant was tortured  
by her in-laws. Further alleged that the sister of the informant



was tortured by her in-laws for dowry and lastly killed the sister of the informant Geeta Devi and did not inform him.

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 general and omnibus allegation against all the accused persons and there is no such allegation against the petitioner. The petitioner is father-in-law of the deceased and the police after investigation submitted chargesheet against the petitioner and the petition is in custody since 12.02.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Ekangarsarai P.S. Case No. 38 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 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)

lbrar//-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

