

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54650 of 2021

Arising Out of PS. Case No.-27 Year-2020 Thana- BIKRAM District- Patna

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Suman Yadav Son Of Late Daya Nand Yadav @ Late Daya Nand Prasad
Yadav R/O Bajirpur, P.S.- Bikram, Distict- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Adv

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-05-2022 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 offence punishable under Sections 304(B), 302, 201/34 of IPC.

Allegation is that the accused persons caused death of the daughter of the informant due to non-fulfilment of demand of dowry.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR that there is general and omnibus



allegation against all the accused persons including the petitioner. In fact the petitioner is husband of the deceased.

Vide order dated 06.04.2022, a report was called for with regard to the stage of the trial. Report reveals that the charge has already been framed against the petitioner and out of ten, four prosecution witnesses have been examined.

Learned counsel for the petitioner submits that in view of the report it appears that there is no chance of early conclusion of the trial in near future and the witnesses have not supported the case and the petitioner is in custody since 28.01.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and period of custody, let the petitioner, above named, 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 Bikram P.S. Case No.27 of 2020, 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 cancelled 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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