

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56940 of 2021

Arising Out of PS. Case No.-174 Year-2019 Thana- KARAKAT District- Rohtas

Manoj Mehta Son of Ramji Mehta Resident of Village - Baad Tola, P.S. -
Karakat, Dist. - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh
For the Opposite Party/s : Mr. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

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

According to prosecution case, the daughter of the informant was married with Pramod Mehta and in the of married informant gave many types of articles but her in-laws family demanded dowry from the family member of the daughter of informant and they were beaten her due to non fulfilment of demand of dowry. Thereafter, the informant's daughter gave a birth female child but their behaviour was not



changed and his son-in-law send his daughter to the informant village and they taken away his daughter thereafter on . 02.07.2019 massage came that his daughter is died.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that petitioner has committed no offence in the present F.I.R. He further submits that during investigation it has come that the death of victim during treatment and treatment has been properly done at Surat. He further submits that husband of the deceased has not been made accused in the present case and there is no specific allegation against the petitioner and there is general and omnibus allegation against all the accused persons. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Ramji Mahto @ Ramji Mahto has been granted bail by a co-ordinate Bench of this Court vide order dated 10.08.2020 passed in Cr. Misc. No. 26764 of 2020 and another co-accused namely, Santosh Kumar Mehta @ Santosh Mehta has been granted bail by a co-ordinate Bench of this Court vide order dated 27.01.2022 passed in Cr. Misc. No. 27969 of 2021. The petitioner is in custody since 29.01.2021.



The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Karakat P.S. Case No. 174 of 2019, subject to 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 witnesses, 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)

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