

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59155 of 2021

Arising Out of PS. Case No.-158 Year-2019 Thana- CHENARI District- Rohtas

Parmanand Choudhary @ Parmanand Bind Son of Dasai Bind Resident of
Village - Basnara, P.S.- Chenari, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuber Pathak, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-04-2022 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, on 21.06.2019 at 14 hours the informant received information that his daughter Kavita Devi has died due to set ablaze. On such information, the informant went at the matrimonial home of his daughter and found dead body of kavita lying towards east of soil house. It is further alleged that marriage of kavita Devi with Parmanand Chaudhary was held one



year ago and due to non-fulfillment of demand of dowry the accused persons killed his daughter.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case only on the ground that the petitioners happens to be husband of the deceased. He further submits that in fact the victim has committed suicide herself and it has come during investigation that the petitioner was not present at the time of the occurrence and the police after investigation submitted chargesheet. Co-accused namely Sarshwati Devi, mother-in-law and Dasai Bind, father-in-law of the deceased have been granted bail by a Coordinate Bench of this Hon'ble Court vide orders dated 13.10.2020 and 08.01.2021 in Cr. Misc. Nos. 26686 of 2020 and 31176 of 2020 respectively. The petitioner is in custody since 19.02.2020.

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 **after framing of charge** 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 Chenari P.S. Case No. 158 of 2019, 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)

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