

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61918 of 2021

Arising Out of PS. Case No.-260 Year-2021 Thana- KRITYANAND NAGAR District-
Purnia

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BIREN MAHALDAR Son of Late Rabbi Mahaldar Resident of Village -
Kohbara, Police Station - K. Nagar (Champanagar O.P.), District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh, Adv

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-04-2022 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

offence punishable under Section 304(B), 120(B)/34 of the IPC.

Allegation against the petitioner is that he alongwith

others demanded 1,50,000/- rupees as dowry and on non-

fulfillment of demand, victim was subjected to cruelty and

finally she was murdered by means of hanging.

Learned counsel appearing for the petitioner submits

that the petitioner has clean antecedent. He has falsely been



implicated in the present case. Learned counsel for the petitioner submits that the petitioner is father-in-law of the deceased and it appears from the FIR that there is general and omnibus allegation against all the accused persons including the petitioner and the son of the petitioner is in custody and the police, after investigation, submitted chargesheet on 09.09.2021 and the petitioner is in custody since 18.06.2021.

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

Considering the aforesaid facts, 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 K.Nagar (Champanagar) P.S. Case No.260 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/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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