

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62550 of 2021

Arising Out of PS. Case No.-87 Year-2021 Thana- VISHNUPAD District- Gaya

SHAYAM RAUT Son of Late Mathura Raut Resident of Mohalla - Bahuhar
Chaura, P.S.- Vishnupad, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Atul Shankar

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 27-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Vishnupad P.S. Case No. 87 of 2021 registered for the offences
punishable under Sections 304(B), 34 of the Indian Penal Code.

As per prosecution case, petitioner and others
concertedly committed the murder of informant's sister for non-
fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner is in custody since 21.05.2021 and bears no criminal
antecedent. Charge sheet has been submitted in the case and
there is no likelihood of tampering with the prosecution



evidence. He further submits that deceased was suffering from Obsessive Compulsive Disorder disease as mentioned in Annexure-2 series of the bail petition and the informant also knows about her illness. Petitioner is father-in-law of the deceased and he has been residing separately from the family of the deceased and he has no concern with the family affairs of the deceased and her husband. There is no specific allegation against the petitioner rather the same is general and omnibus in nature.

Learned counsel for the informant and learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 Chief Judicial Magistrate, Gaya in connection with Vishnupad P.S. Case No.



87 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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