

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65649 of 2021

Arising Out of PS. Case No.-133 Year-2021 Thana- BHAGWANPUR District- Begusarai

BISHUNDEO RAI Son of Late Peyare Rai Resident of Village- Chakka
Eshapur, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kapil Deo Singh, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 302, 201/34 of the Indian Penal Code.

The cousin sister of the informant is said to have been
killed on account of non-fulfillment of demand of dowry made by
the petitioner and others.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. In fact, the petitioner
happens to be father-in-law of the deceased and he has never
demanded any dowry nor he has assaulted the deceased in any
manner. There is general and omnibus allegation against the
petitioner and no specific allegation of any overt act is attributed



to him. Moreover, the petitioner has been living separately from the deceased and his son. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. He further submits that the husband of the deceased has already been granted bail by the court below itself. The petitioner is rotting in judicial custody since 03.07.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Bhagwanpur P.S. Case No. 133 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 canceled 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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