

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66100 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- MAHESI District- East Champaran

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Ramayan Rai Son of Ruplal Rai Resident of village - Manjhan Chhapra, P.S.-
Mehsi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

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 304(B)/34 of the INdian

Penal Code.

According to prosecution case, the informant married

his sister namely Khusbu Kumari with Ravindra Kumar on

March, 2017. It is further alleged that petitioner alongwith other

co-accused always demanded four wheeler car in dowry from

her and for the dowry demand victim was always being harassed



by all F.I.R. named accused persons including the petitioner. It is further alleged that the accused persons and petitioner Ramayan Rai always threatened the informant if he will not be fulfilled their demand then his sister would be killed. It is further alleged that before one week of the incident accused persons and petitioner Ramayan Rai went to the informant home with his sister where both the accused persons demanded again same thing but the informant could not satisfied them. On 31.01.2021 petitioner Ramayan Rai informed to the informant by mobile that his sister is seriously ill and hospitalized in Mehsi Government Hospital, when the informant reached to hospital and found his sister Khushbu Kumari dead.

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 in fact the petitioner is brother-in-law of the deceased. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that similarly situated, co-accused, namely, Sindhu Devi has been granted bail by a co-ordinate Bench of this Court vide order dated 17.08.2021 passed in Cr. Misc. No. 39993 of 2021 and another co-accused namely Ruplal



Rai has been granted bail by a co-ordinate Bench of this Court vide order dated 18.04.2022 passed in Cr. Misc. No. 48643 of 2021. The petitioner is in custody since 01.02.2021.

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

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 Mehshi P.S. Case No. 21 of 2021, 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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