

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68951 of 2021

Arising Out of PS. Case No.-299 Year-2020 Thana- DESARI District- Vaishali

Md. Sabir Son of Late Md. Jaslim Resident of Village Jauj, P.S.- Mahnar,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-05-2022 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 323, 498(A), 365/34 of the Indian Penal Code but the police after investigation submitted chargesheet against the petitioner and other co-accused under Sections 304(B), 120(B), 323, 498(A), 363 and 365/34 of the Indian Penal Code.

According to F.I.R., the informant has alleged that his sister was married on 20.08.2020 with Md. Nisar as per Muslim rites. On 17.10.2020 he received information on telephone from



mother-in-law of his sister that his sister has disappeared. The informant also came to know that she was tortured by her mother-in-law and her brother-in-law Md. Ashif.

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 basis of suspicion. He further submits that in fact the petitioner is the cousin father-in-law of the deceased and the petitioner has no concern with the family affairs of his brother and the petitioner is in custody since 19.09.2021.

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 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 Desari (Sahdei O.P.) P.S. Case No. 299 of 2020, 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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