

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.170 of 2020

Arising Out of PS. Case No.-15 Year-2019 Thana- NIMACHANDPURA District- Begusarai

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SANJAY KUMAR @ SANJAY KUMAR PASWAN Son of Ramkaran
Paswan Resident of Village-Nima Chandpura, P.S.-Nima Chandpura, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 19-04-2022 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, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 304(B)/34 of the Indian
Penal Code.

The prosecution case, in short, is that one Rekha Devi
has given her fardbeyan before A.S.I. Town P.S. at Sadar
Hospital, Begusarai stating therein that her daughter Kajal Devi
was married to Sanjay Kumar resident of Neemachandpura two
years before. Sanjay Kumar and his family members had



demanded motorcycle but she was unable to meet the demand. So, the petitioner alongwith other accused persons assaulted her daughter for dowry and her daughter was burnt to death.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that in fact the petitioner is husband of the deceased so he has falsely been implicated in the present case. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons. He further submits that the police, after investigation, submitted chargesheet against the petitioner.

Vide order dated 08.03.2022, a report was called for with regard to the stage of the trial. Report reveals that the charge has been framed on 09.03.2022 and the case is pending for prosecution evidence.

Learned counsel for the petitioner submits that it appears from the report that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 22.10.2019.

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 petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Neemachandpura Police Station Case No.15 of 2019, 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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