

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2445 of 2023**

Arising Out of PS. Case No.-235 Year-2022 Thana- SHEKHPURA District- Sheikhpura

Rajesh Kumar Son of Chamari Mahto @ Chamu Mahto R/v- Rupani Pokhar,  
P.S.- Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bipin Kumar, Advocate  
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      22-03-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of four weeks from today.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 498A, 323 and 302 of the  
Indian Penal Code and Section 3/4 of Dowry Prohibition Act but  
the police after investigation submitted the charge sheet on  
14.10.2022 under Sections 323, 498A and 306 of the Indian  
Penal Code and Section 3/4 of the Dowry Prohibition Act.

According to prosecution case, all the accused persons  
including the petitioner killed the daughter of the informant due  
to non-fulfillment of the demand of dowry.



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 the petitioner is the husband of the deceased and the facts of the case is that the deceased had committed suicide herself. He further submits that it has come during investigation that the deceased had committed suicide herself. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 06.09.2022.

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 Sheikhpura P.S. Case No. 235 of 2022, 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)**

Vanisha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

