

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11171 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- AGIAON BAZAR District- Bhojpur

LAXUMAN SINGH Son of Late Ramsakal Singh Resident of Village -
Udandih, P.S.- Hasanbazar (Piro), District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
05.12.2022 in connection with Agiaon Bazar P.S. Case
No.187/2022, F.I.R. dated 04.12.2022, for the offences
punishable under Sections 304(B), 120(B) and 34 of the IPC.

According to prosecution case, the petitioner along
with other accused persons are said to have committed murder
of the deceased due to non-fulfillment of the demand of dowry.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
informant is not an eyewitness of the alleged occurrence and
only on the basis of suspicion, the name of the petitioner has



been implicated in the present case. He further submits that from bare perusal of the F.I.R. it appears that there is general and omnibus allegation against all the accused persons including the petitioner and the petitioner is not the family members of the deceased and co-accused persons, namely, Sunil Sharma and Ramesh Sharma, who are brother-in-law and father-in-law of the deceased have been granted bail by a co-ordinate Bench of this Court vide order dated 29.04.2023 passed in Cr. Misc. No. 15932/2023 and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 05.12.2022.

Learned Additional Public Prosecutor for the State on the other hand 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 Mrs. Kajal Sonewala, J.M.1st Class, Bhojpur at Ara in connection with Agiaon Bazar P.S. Case No. 187/2022, 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)

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