

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14945 of 2023

Arising Out of PS. Case No.-289 Year-2022 Thana- SIMRI District- Buxar

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Pramod Pathak @ Pramod Kumar Pathak Son of Awadh Bihari Pathak
Resident of Village - Niajipur, P.S.- Simri (Hata O.P.), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Babu Nandan Prasad, Advocate
For the Informant	:	Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner, learned

counsel appearing on behalf of the Informant and learned APP

for the State.

Petitioner seeks bail, who is in custody since
31.08.2022, in connection with Simri (Hata O.P.) P.S. Case No.
289 of 2022, F.I.R. dated 12.07.2022 registered for the offences
punishable under Sections 304B/34 of the Indian Penal Code.

Allegation against the petitioner is of committing
torture and caused death of the victim due to non-fulfillment of
demand of dowry.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case merely on the ground that the



petitioner is the husband of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the postmortem report of the deceased does not support the allegation as alleged in the F.I.R. and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 31.08.2022.

Learned counsel appearing on behalf of the Informant as well as learned APP for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner .

Considering the aforesaid 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 Additional Chief Judicial Magistrate-IV, Buxar in connection with Simri (Hata O.P.) P.S. Case No. 289 of 2022, 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 antecedents, 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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