

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17187 of 2023

Arising Out of PS. Case No.-288 Year-2022 Thana- SIKANDRA District- Jamui

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PANKAJ CHOUDHARY @ PANKAJ KUMAR SON OF RAJO
CHOUDHARY RESIDENT OF VILLAGE - JALAY DOSTANI, PS -
SIKANDARA, DISTRICT- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Raj, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
30.01.2023 in connection with Sikandra P.S. Case No.
288/2022, F.I.R. dated -18.10.2022, for the offences punishable
under Sections 304B and 34 of the IPC.

According to prosecution case, the petitioner along
with his other family members are alleged 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 merely on the ground that the



petitioner is the family member of the deceased. He further submits that it appears from the F.I.R. that there is no specific allegation of any assault or overt act is attributed against the petitioner and the petitioner has never demanded any dowry from the family members of the deceased. He further submits that the husband of the deceased is in custody since 18.10.2022 and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 30.01.2023.

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 Sri Anant Kumar, J.M.1st Class, Jamui in connection with Sikandra P.S. Case No. 288/2022, 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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