

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21424 of 2023

Arising Out of PS. Case No.-312 Year-2021 Thana- MEHSI District- East Champaran

SARYUG PRASAD CHAURASIYA Son of Vinda Bhagat @ Vinda Prasad
Chaurasiya Resident of village-Tara Pakar, P.S.-Mehsi, District-East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
12.01.2023 in connection with Mehsi P.S. Case No. 312 of
2021, F.I.R. dated 27.12.2021 registered for the offence
punishable under Sections 304B,201,34 of IPC but the police,
after investigation, submitted chargesheet under Sections 364
and 120B of the IPC.

3. Informant alleges that his daughter was married to
Rahul on 27.06.2020, after marriage the accused persons,
including the petitioner were demanding motorcycle, further on
account of non-fulfillment of the dowry demand his daughter
was killed.



4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and from bare perusal of the FIR it appears that there is general and omnibus allegation against all the accused persons including the petitioner and the co-accused persons, who are wife and daughter of the petitioner, namely, Sobha Devi and Rani Kumari, have been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 22.11.2022 passed in Cr. Misc. No.31278 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 12.01.2023.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, 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 learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Mehsi P.S. Case



No. 312 of 2021,with the following conditions:-

(I) 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.

(II) 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.

(III) 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)

Nitesh/-

U		T	
---	--	---	--

