

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21014 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- MINAPUR District- Muzaffarpur

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RAMESH KUMAR Son of Jai Karan Rai @ Gandhi Rai Resident of village -
Mohanpur, P.S.- Minapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate
For the Informant	:	Mr. Vishal Vikram Rana
		Ms. Kumari Shalini
For the State	:	Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-07-2023 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

19.09.2022, in connection with Minapur P.S. Case No. 221 of

2022, F.I.R. dated 12.05.2022 registered for the offences

punishable under Sections 498(A), 304(B), 120(B), 201/34 of

the Indian Penal Code and Sections 3 of the Dowry Prohibition

Act.

As prosecution case, in brief, is that the sister of the

informant was regularly subjected to harassment by her in-law

and the accused petitioner for demand of dowry of

Rs. 2,00,000/- (two lacs) and the same was informed to the



informant by telephone. On 11.05.2022 when the informant reached her matrimonial home with the demanded amount then it came to know that her sister had been administered poison by her in-laws and the accused petitioner and after her death her dead body was cremated.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner and his family members never demanded dowry from the family members of the deceased and in fact the victim became ill and admitted to Jivan Deep Nursing Home, Muzaffarpur due to severe chest pain and it has come during investigation that the police had collected the prescription of the deceased which shows that the deceased was admitted on 08.05.2022 at 03:00 P.M. and she died in the Hospital on 09.05.2022 due to severe chest pain etc. He further submits that it appears from the aforesaid, the allegation in the F.I.R. is false and fabricated and the petitioner has not committed any offence and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 19.09.2022.



The learned counsel appearing on behalf of the Informant as well as learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner and submits that the spy has supported the case of the prosecution but he has not produced any material before this court.

Considering the 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 Chief Judicial Magistrate, Muzaffarpur in connection with Minapur P.S. Case No. 221 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 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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