

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21569 of 2023

Arising Out of PS. Case No.-84 Year-2021 Thana- NARAINPUR District- Bhojpur

SALAUDDIN MANSOORI @ MD. SALAUDDIN MANSOORI Son of Md. Shamsuddin Mansuri @ Shaikh Muhamad Samsuddin Resident of village Ahila, P.S. Narayanpur, District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N. A. Shamsi, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 11-09-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in para-7 of the bail petition.

3. Petitioner seeks bail, who is in custody since
07.02.2023 in connection with Narayanpur P.S. Case No.84 of
2021 (G.R.No.3581 of 2021), F.I.R. dated 06.07.2021 for the
offences punishable under Sections 304(B)/120(B)/34 of the
Indian Penal Code.

4. The allegation is regarding the accused persons
including the petitioner herein having tortured and caused
death of the deceased victim lady on account of non-
fulfillment of the demand for dowry.



5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Learned counsel for the petitioner submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that from a bare perusal of the FIR that the date of occurrence as alleged in the FIR is 05.07.2021 and the petitioner was outside the country since 13.03.2020 and he has come back in India on 25.01.2023 and on the date of occurrence the petitioner was not in India it appears from the Passport of the petitioner. Further submits that co-accused person, namely, Md. Samsuddin Mansuri @ Shamsuddin Mansuri has been granted bail vide order dated 31.03.2022 passed in Cr. Misc. No.60810 of 2021 and co-accused persons, namely, Zulekha Khatoon and Md. Allauddin have been granted privilege of anticipatory bail vide order dated 30.11.2021 passed in Cr. Misc. No. 65548 of 2021 by different Coordinate Benches of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner on 03.09.2021 and the petitioner is in judicial custody since 07.02.2023.

6. In view of the aforesaid fact, petitioner was not in



India on the date of occurrence and he has returned in India on 25.01.2023, 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 the learned Additional Chief Judicial Magistrate-VI, Bhojpur at Ara in connection with Narayanpur P.S. Case No.84 of 2021 (G.R.No.3581 of 2021), subject to 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 absence on two consecutive dates without sufficient reason, his 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)

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