

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43400 of 2023

Arising Out of PS. Case No.-53 Year-2022 Thana- UCHKAGAON District- Gopalganj

Om Prakash Singh S/O Late Bhola Singh, R/O Village- Dahiyata Balua Tola
Dom Toli, P.S- Uchakagaon, Distt.- Gopalganj, Bihar.

... .. Petitioner

Versus

The State Of Bihar.

... .. Opposite Party

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Uchakagaon P.S. Case No- 53 of 2022 registered for the offences punishable under Sections 302/34 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the informant's daughter solemnized marriage with the petitioner. It is alleged that the petitioner committed violence with the informant's daughter and on 01.03.2022 when the informant reached her daughter's home, she found her daughter lying dead. The informant and her husband believe that the accused persons after assaulting her daughter killed her.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission on behalf of the petitioner that the marriage is 10 years old, no mark of injury has been found in the inquest as well as in post-mortem, during investigation case has been found to be true under section 306/34 I.P.C., the informant has filed petition before learned court below stating that after knowing the truth she does not want to pursue the case, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Uchakagaon P.S. Case No- 53 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Learned A.C.J.M. IX, Gopalganj, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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