

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46970 of 2023

Arising Out of PS. Case No.-230 Year-2022 Thana- THARTHARI District- Nalanda

Praduman Ram Son Of Doman Ram Resident Of Village -BARI Chariyari P S
-THARTHARI District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 18.11.2022 in connection with S.T. No. 257 of 2022 arising out of Tharthari P.S. Case No. 230 of 2022, F.I.R. dated 11.11.2022 for the offences punishable under Sections 304B/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioner have killed the sister of the informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been 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 has not committed any offences as alleged in the F.I.R. He further submits that the petitioner was implicated in this case on the ground that he is husband of the deceased. He further submits that the statement of the sister of the deceased, namely, Reena Devi has been recorded in paragraph no. 6 of the case diary in which she has categorically stated that when she reached the place of occurrence, she saw that her sister was hanging in the room. He further submits that in fact, the deceased had committed suicide herself and the petitioner has no role at all in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.11.2022.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that within 5 months of the marriage the present occurrence has taken place and the petitioner is the husband of the deceased.

6. Vide order dated 29.08.2023, a report was called with regard to the stage of the trial. Report of the learned Trial Court dated 04.09.2023 reveals that the charge has been framed against the petitioner on 04.05.2023 itself but the prosecution had not examined any witnesses as yet.



7. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future and the petitioner is in custody since 18.11.2022.

8. Considering the aforesaid facts and circumstances and report of the learned Trial Court, 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 Sessions Judge 1st, Hilsa (District- Nalanda) in connection with S.T. No. 257 of 2022 arising out of Tharthari P.S. Case No. 230 of 2022, 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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