

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46543 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- MATIHANI District- Begusarai

SHAILENDRA SINGH S/o Late Rajo Singh Resident of Ward No.3,
Ramdiri, Nakti Tola, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-03-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 120(B), 304(B) and 34 of IPC.

The accusation is of killing the sister of the
informant for non-fulfillment of dowry demand.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case. The petitioner is father-in-law of
the deceased. Further submits that it appears from the FIR that
there is general and omnibus allegation against the petitioner.
There is no specific allegation of any assault or overt-act against
the petitioner and the police, after investigation, submitted
chargesheet against the petitioner under Sections 306/34 of IPC



and on submission of the chargesheet, the learned Judicial Magistrate has taken cognizance on 06.09.2022 for the offences under Sections 306/34 of IPC. Further submits that the co-accused, namely, Radha Devi has already been granted privilege of anticipatory bail vide order dated 09.01.2023 passed in Cr. Misc. No.62752 of 2022 by a Coordinate Bench of this Hon'ble Court and the petitioner is in custody since 28.05.2022.

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.

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 court below where the case is pending in connection with Matihani P.S. Case No. 40 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(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 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	
---	--	---	--

