

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49834 of 2023

Arising Out of PS. Case No.-816 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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Bijendra Kumar Sah @ Vijendra Kumar Sah Son Of Radheshyam Sah R/O-
Konhwa, Ward No. 07, P.S. And Distt.-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
18.10.2022 in connection with Session Trial No.295 of 2023
arising out of Gopalganj (Town) P.S. Case No. 816 of 2022,
F.I.R. dated 05.10.2022 for the offences punishable under
Sections 304(B)/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along
with his family members killed the daughter of the informant on
the pretext of 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 merely on the ground that the



petitioner is husband of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and petitioner has not committed any offence as alleged in the F.I.R. and in fact the deceased has committed suicide herself. He further submits that it has come during investigation in paragraph no.9 and 42 of the case diary that the deceased has committed suicide herself and the postmortem report of the deceased also suggest that she has committed suicide herself. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 18.10.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 District Judge-XIII, Gopalganj in connection with Gopalganj (Town) P.S. Case No.816 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 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)

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