

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49686 of 2023

Arising Out of PS. Case No.-252 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Lal Babu Gond@ Lal Babu God Son Of Dhirendra Gond @ Dhirendra Goad
Resident Of Village -Barka Nuawn, P.S- Buxar (M), Distt- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 17.06.2023, in connection with Buxar (Muffasil) P.S. Case No. 252 of 2023, F.I.R. dated 30.05.2023 registered for the offences punishable under Section 306 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 28.05.2023 at about 12:00 P.M. the informant's son went to drink water then he heard the sound from the room of Savitri Devi and after opening the door he saw that the petitioner was also present with Savitri Devi. It is further alleged that the informant objected then his daughter-in-law asked to marry with the petitioner but he refused to marry with his daughter-in-law. It is further alleged that in the morning he found that his daughter-in-



law was not present thereafter they started searching her and in the meantime he got information that dead body of his daughter-in-law was lying in Railway track in cutting condition.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that as per allegation in the F.I.R. the petitioner is the nephew of the deceased and it appears from the F.I.R. that there was relation between the petitioner and the deceased and the deceased wants to marry with the petitioner and on refusal she committed suicide and the present F.I.R. was instituted under Section 306 of the Indian Penal Code. The petitioner is in custody since 17.06.2023.

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

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Muffasil) P.S. Case No. 252 of 2023, 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 witness, 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 antecedents, 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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