

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57650 of 2023

Arising Out of PS. Case No.-68 Year-2022 Thana- BELDOUR District- Khagaria

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Suflesh Kumar @ Subhash Kumar S/O Manohar Yadav @ Manoranjan
Kumar R/O Village- Mali, P.S. Beldaur, Dist. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 26.06.2023, in connection with Beldaur P.S. Case No. 68 of 2022, G.R. No. 671 of 2022, F.I.R. dated 16.03.2023 registered for the offences punishable under Sections 304(B), 498(A), 201 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act but the police after investigation submitted chargesheet against the petitioner under Sections 364/34 of the Indian Penal Code.

3. The daughter of the informant is said to have been killed by the accused petitioners including the petitioner in association of other co-accused.



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 the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. but in fact the petitioner is living separately from the family members of the daughter of the informant and co-accused person namely Ritesh Kumar @ Nitesh Kumar who happens to be the husband of the daughter of the informant has been granted bail by a Coordinate Bench of this court vide order dated 29.08.2023 passed in Cr. Misc. No. 40907 of 2023, another co-accused person namely Manohar yadav @ Manoranjan Kumar and Chandrika Devi have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 27.07.2023 passed in Cr. Misc. No. 21583 of 2023, another co-accused person namely Pancham Kuamr who also happens to be the brother-in-law of the daughter of the informant has been granted bail by a Coordinate Bench of this Court vide order dated 22.05.2023 passed in Cr. Misc. No. 21362 of 2023 respectively. The petitioner is in custody since 26.06.2023.

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 Court of Judicial Magistrate 1st Class, Khagaria in connection with Beldaur P.S. Case No. 68 of 2022, G.R. No. 671 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 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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