

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58582 of 2023

Arising Out of PS. Case No.-506 Year-2023 Thana- KAHALGAON District- Bhagalpur

Subhash Sharma @ Subhash Saran S/O Late Faudari Sharma @ Kedar
Sharma R/O Village- Ekchari, Ps. Kahalgoan, Dist. Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.05.2023 in connection with Kahalgoan P.S. Case No. 506 of
2023, F.I.R. dated 01.05.2023 for the offences punishable under
Sections 304B and 34 of the Indian Penal Code.

3. According to prosecution case, all the accused
persons including the petitioner have killed the daughter of the
informant due to non-fulfillment of demand of dowry and
hanged her dead body with fan.

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
petitioner is the father-in-law of the deceased. He further



submits that from perusal of the F.I.R it appears that there is no allegation of any assault or overt act attributed against the petitioner and the allegation with respect to demand of dowry is not true and the petitioner has not committed any wrong with his daughter-in-law. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 03.05.2023.

5. The learned Additional Public Prosecutor 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 Chief Judicial Magistrate, Bhagalpur in connection with Kahalgoan P.S. Case No. 506 of 2023, 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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