

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61306 of 2023

Arising Out of PS. Case No.-436 Year-2022 Thana- DINARA District- Rohtas

BAHADUR SINGH son of Late Buddhu Mahto Village- Medanipur Ps-
Dinara Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rang Nath Choubey

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Session Trial No. 149 of 2023 arising out of Dinara P.S. Case
No. 436 of 2022 registered for the offences punishable under
Section 304(B)/34 of the Indian Penal Code.

3. As per prosecution case, petitioner and others
are said to have committed murder of informant's daughter by
strangulation for non fulfillment of dowry.

4. Learned counsel for the petitioner submits that
petitioner is the father-in-law of the deceased. There is no
specific allegation against the petitioner rather the allegation is
general and omnibus in nature. Petitioner is quite innocent and
has committed no offence as alleged against him in F.I.R. and he



has falsely been implicated in the present case being father-in-law of the deceased. Petitioner is in custody since 25.11.2022, as mentioned in impugned order and bears no criminal antecedent. He further submits that period of custody undergone by the petitioner is more than one year. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody undergone by the petitioner which is more than one year, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 Additional District and Sessions Judge – V, Rohtas at Sasaram in connection with Sessions Trial No. 149 of 2023 arising out of Dinara P.S Case No. 436 of 2022, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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