

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62461 of 2022**

Arising Out of PS. Case No.-277 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

RAJ KUMAR SINGH @ CHHOTU SINGH Son of Sangam Singh Resident
of Village- Karisath, P.S.- Udwant Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aditya Narayan Singh-1, Advocate
For the Informant	:	Mr. Satya Deo Kumar, Advocate
For the Opposite Party/s	:	Mr. Dashrath Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 19-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail, who is in custody since
25.07.2022 in connection with Udwant Nagar (Gopalganj O.P.)
P.S. Case No. 277 of 2022, F.I.R. dated 22.06.2022 for the
offences punishable under Sections 498(A), 304(B)/34 of the
Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

According to prosecution case, petitioner, who is
husband of the complainant/informant is said to have ousted the
complainant/informant from her matrimonial home in
association of her family member over the dowry demand.

Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is the husband of the informant and 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.. He further submits that the deceased has committed suicide herself and the postmortem report also suggest that there is no anti-mortem injury was found on the body of the deceased. He further submits that similarly situated, co-accused, namely, Suraj Singh has been granted bail by a co-ordinate Bench of this Court vide order dated 09.02.2023 passed in Cr. Misc. No. 61573 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 25.07.2022.

The learned counsel for the informant and learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

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, Bhojpur at Ara in connection with Udwant Nagar P.S. Case No. 277 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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