

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60065 of 2022

Arising Out of PS. Case No.-126 Year-2022 Thana- SALAKHUA District- Saharsa

Mantun Rajak Son of Saheb Rajak Resident of Village- Paraswani, P.O.-
Jamal Nagar P.S.- Salkhua (Banwa Itahari O.P.) District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 13-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 498A, 494, 120B, 302, 34 of the Indian Penal Code.

As per prosecution case, the marriage of the informant's daughter was solemnized with Akhilesh Rajak 14-15 years back but the husband of her daughter went to Delhi for earning money where he solemnized marriage with another lady. The husband of her daughter and family members use to torture the informant's daughter and in this regard her daughter had already filed a Sanha in the year 2018 that her husband and his family members are threatening to kill her. On 04.06.2022 the informant had received information that her daughter was killed.



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 in fact the petitioner is not the family member of the deceased and he is a co-villager and the allegation as alleged in the F.I.R. against the petitioner merely on suspicion and except suspicion, no other cogent material has come during investigation against the petitioner. He further submits that co-accused person namely Randhir Rajak has been granted bail by a Coordinate Bench of this Court vide order dated 25.02.2023 in Cr. Misc. No. 63959 of 2022. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 09.06.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

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 below where the case is pending in connection with Salkhua P.S. Case No. 126 of 2022, with 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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