

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66825 of 2022

Arising Out of PS. Case No.-258 Year-2022 Thana- MAIRWAN District- Siwan

SHARIF ANSARI Son of Gulab Ansari R/O village- Muraripati Kurmauta,
P.S- Nautan, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Mairwa P.S. Case No. 258 of 2022 registered for the offence
under Sections 304(B), 302, 120(B) and 34 of the Indian
Penal Code.

The daughter of the informant is alleged to have
been killed by her in-laws on account of non-fulfillment of
demand of dowry.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that it appears from the F.I.R. that there is



general and omnibus allegation against the petitioner and no specific allegation of assault or any overt act is attributed to him. He further submits that the petitioner does not belong to the family of husband of the deceased. He further submits that the petitioner has been made accused in this case on the basis of suspicion and no cogent material suggesting his involvement in the alleged occurrence has surfaced in this case. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 01.07.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned A.C.J.M.-VII, Siwan in connection with Mairwa P.S. Case No. 258 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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