

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1252 of 2022

Arising Out of PS. Case No.-309 Year-2021 Thana- MAHNAR District- Vaishali

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Ram Lal Poddar S/o Late Mishiri Poddar Resident of Village- Lawapur, P.S.-
Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 10-01-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Mahnar

P.S. Case No. 309 of 2021, registered for the offences

punishable under Sections 304(B), 201/34 of the Indian

Penal Code.

The prosecution case as emerges from the FIR is

that the marriage of the informant's daughter, namely Neha

Kumar was solemnized with one Yogesh Poddar according to

Hindu rites and customs on 10.10.2017. After some time,

the husband and his family members started torturing her

for non-fulfilment of illegal demand of dowry, and ultimately,



they killed her.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not husband but father-in-law of the deceased. He also submits that the allegation against the petitioner is general and omnibus in nature.

He further submits that the petitioner has been languishing in jail since 11.10.2021.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties



of the like amount each to the satisfaction of Ld. C.J.M Vaishali, at Hajipur in connection with Mahnar P.S. Case No. 309 of 2021 **after framing of charge, if already not framed**, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of



the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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