

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63593 of 2022

Arising Out of PS. Case No.-201 Year-2022 Thana- SABAUR District- Bhagalpur

Aman Raj @ Anand Kumar Son of Ganpat Mandal Resident of Village-
Parghari, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Thakur, Advocate
For the Opposite Party/s :	Mr. Akbar Ali, APP
For the Informant :	Mr. Dr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 01-05-2023 Heard Mr. Ajay Thakur, learned counsel for the
petitioner, learned counsel appearing on behalf of the informant
as well as learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
06.06.2022 in connection with Sabour P.S. Case No. 201 of
2022, F.I.R. dated 05.06.2022 for the offences punishable under
Sections 302, 498A/34 of the Indian Penal Code.

According to prosecution case, the informant's
daughter was married to the petitioner in the year 2012 and after
some days the family members of the petitioner started torturing



her and demanding dowry. On 05.06.2022 the informant got information that her daughter's body was lying in the well and she claimed that the petitioner and his family have murdered her daughter.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that the petitioner is husband of the deceased. He further submits that the petitioner performed marriage with the deceased in the year 2012 and till date, no complain has been made before the police by the family members of the petitioner. He further submits that the deceased was mentally ill and her treatment was started in the year 2014 in Kanke, Ranchi and the deceased died accidentally and the petitioner has no concern at all with the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 06.06.2022.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner has committed the crime in question.



Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail, **after framing of charge** and 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, Bhagalpur in connection with Sabour P.S. Case No. 201 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.

Vanisha/-

(Rajesh Kumar Verma, J)

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