

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67325 of 2022

Arising Out of PS. Case No.-610 Year-2021 Thana- MAJHAULIA District- West Champaran

SHYAM NARAYAN PANDEY S/o Sri Awadhesh Pandey R/o Village-
Shyampur Baithaniya, P.S.- Majhauria, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 10-05-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
18.04.2022 in connection with Majhauria P.S. Case No. 610
of 2021, F.I.R. dated 08.11.2021 for the offences punishable
under Sections 341, 323, 304-B, 201, 504, 506/34 of the
Indian Penal Code.

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 has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has never demanded any dowry from the family member of the deceased. He further submits that it appears from the F.I.R. itself that the deceased has died in her parental home due to illness and petitioner has no role at all in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 18.04.2022

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

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, West Champaran at Bettiah in connection with Majhauria P.S. Case No. 610 of 2021, 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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