

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72766 of 2022

Arising Out of PS. Case No.-429 Year-2019 Thana- BARHARA District- Bhojpur

PRINCE SINGH @ CHHOTU S/O Mithilesh Singh R/O Village- Laxmipur,
P.O- Sinha O.P), District- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Adv.

For the Opposite Party/s : Mr. H.A. Khan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 304(B) of the Indian Penal Code.

Allegedly, petitioner, along with other family members, committed murder of the informant's daughter.

It is submitted by learned counsel for the petitioner that petitioner is *Dewar* of the deceased. petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that petitioner did not torture the informant's daughter over the dowry demand. He further submits that the mother-in-law of the



deceased has been acquitted by the Trial Court and the husband of the deceased has also been in judicial custody. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the husband of the deceased has already been in judicial custody, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Barhara (Sinha O.P.) P.S. Case No. 429 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, the learned Court below is directed to verify whether the husband of the deceased has been in judicial custody or not. If it will be found that the husband of the deceased has not been in judicial custody, the bail bond of the petitioner will not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

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