

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73723 of 2022

Arising Out of PS. Case No.-35 Year-2022 Thana- NAUBATPUR District- Patna

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BUNTY KUMAR Son of Rajballabh Ram R/o Village - Chiraura, P.S.-
Naubatpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
12.09.2022, in connection with Naubatpur P.S. Case No. 35 of
2022, F.I.R. dated 20.01.2022 registered for the offences
punishable under Section 304(B), 34 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture and caused death of the victim due to non-fulfillment of
demand of dowry.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
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 not committed any offence as alleged in the F.I.R. He further submits that as per postmortem report no external injury was found on the body of the deceased and cause of death was not mentioned by the doctor in the postmortem report. Learned counsel for the petitioner submits that the trial has begun and all the private witnesses including the informant deposed their evidence before the learned Trial court and all the private witnesses including the informant have been declared hostile and only Investigating Officer and doctor are remained to be examined by the learned trial court and the petitioner is in custody since 12.09.2022.

In view of the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Danapur, Patna, in connection with Naubatpur P.S. Case No. 35 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



witness, 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 antecedents, 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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