

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74556 of 2022**

Arising Out of PS. Case No.-200 Year-2021 Thana- SANDESH District- Bhojpur

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MONU KUMAR SON OF MAHENDRA YADAV R/O VILLAGE-
KHUTYARI, P.S.- SANDESH, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is an accused in connection with Sandesh P.S. Case No. 200 of 2021 registered for the offences under sections 302, 201 and 34 of the Indian Penal Code lodged on 09.10.2021 by the informant, Parmanand Singh.

The prosecution case, in brief, is that the marriage of the daughter of the informant was solemnized with Lavkush Kumar in the year 2011. It is further alleged that accused persons killed his daughter for non fulfillment of dowry. Accordingly, the FIR.



It has been contended by the learned counsel for the petitioner that he is '*devar*', living separately since last nine years, nothing to do with the couple. Further submission is that the husband is in custody since 21.03.2022 (as stated in paragraph 16 of the petition).

Learned APP for the State opposes the prayer for bail.

Considering the fact that the petitioner is '*devar*' and according to the submission put forward, he is living separately since last nine years, has already suffered by being in custody since 21.03.2022 and do not have criminal antecedent as also that the husband is in custody, this Court is inclined to grant him privilege of bail. If however, it is found that the statement regarding husband is false, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Additional District and Sessions Judge VIII, Bhojpur at Ara in connection with Sandesh P.S. Case No. 200 of 2021, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

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