

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.455 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- NATWAR District- Rohtas

CHANDAN GIRI Son of Dileep Giri Resident of Village - Arila
Raghunathpur, P.S.- Natwar, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Session
Trial No. 497 of 2022 arising out of Natwar P.S. Case No. 92 of
2022 registered for the offence under Sections 304(B) and
201/34 of the Indian Penal Code.

The daughter of the informant is alleged to have been
killed on account of non-fulfillment of demand of dowry made by
the petitioner and others.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case merely on the basis of
suspicion. He further submits that the petitioner happens to be
nephew of the deceased and he has no concern at all with the



family affairs of the deceased. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against the petitioner and no specific allegation of demand or any assault is attributed to him. He further submits that the co-accused, namely, Begedan Giri and Geeta Devi, who happen to be father -in-law and mother-in-law of the deceased, have already been granted bail by a co-ordinate Bench of this Court vide order dated 20.03.2023 and 23.03.2023 passed in Cr. Misc. No. 72472 of 2023 and Cr. Misc. No. 74520 of 2022, respectively. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 29.06.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with S.T. No. 497 of 2022 arising out of Natwar P.S. Case No. 92 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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