

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24614 of 2024

Arising Out of PS. Case No.-29 Year-2022 Thana- SUHAIL District- Gaya

Ram Briksh Bharti Son of Buttu Bharti Resident of Village- Sohailya, P.S.-
Sohail, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijmohan Das, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-07-2024 Heard Mr. Brijmohan Das, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
21.10.2022 in connection with Sohail P.S. Case No. 29 of 2022,
F.I.R. dated 15.10.2022 for the offences punishable under
Sections 302/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along
with other accused persons took away the deceased at night and
on the next morning, the dead body of the deceased was
recovered.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the ground that the



petitioner is the husband of the deceased. He further submits that in fact, on 13.10.2023 a quarrel took place between the petitioner and the deceased regarding gambling and thereafter, the deceased left the house and committed suicide. He further submits that there is no eye witness of the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner on 19.01.2023 under Sections 498A and 306 of the Indian Penal Code. The petitioner is in custody since 21.10.2022.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, police have submitted charge sheet under Section 498A and 306 of the Indian Penal Code as well as period of custody, 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 Sub Divisional Judicial Magistrate, Sherghati, Gaya in connection with Sohail P.S. Case No. 29 of 2022, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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)

Vanisha/-

U		T	
---	--	---	--

