

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47994 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- DANDKHORA District- Katihar

Binod Ray son of Late Anandi Ray Village- Katihar Ps- Dandkhora Dist-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-09-2024 Heard Md Musowir, learned counsel for the
petitioner, learned counsel for the informant and Ms. Asha
Kumari, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
14.03.2024 in connection with Dandkhora P.S. Case No.21 of
2024 F.I.R. dated 13.03.2024 registered for the offence
punishable under Sections 498(A), 304(B)/34 of IPC.

3. Allegation against the petitioner is that he
alongwith other co-accused persons have in furtherance of their
common intention committed the dowry death of the daughter
of the informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. The allegation as



alleged in the FIR is false and fabricated and the petitioner has has been made accused in the present case merely on the ground that the petitioner is father-in-law of the deceased and from a bare perusal of the FIR it appears that there is no specific allegation of any assault, overt-act or demand of dowry attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and co-accused person, namely, Pushpa Devi has been granted privilege of anticipatory bail by this Court vide order dated 21.08.2024 passed in Cr. Misc. No. 52446 of 2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and with the common intention petitioner along with his family members killed the daughter of informant.

6. Considering the aforesaid fact, petitioner has clean antecedent, 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 learned S.D.J.M, Katihar, in connection with Dandkhora P.S. Case No.21 of 2024, with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

Nitesh/-Harshita

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