

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51590 of 2024

Arising Out of PS. Case No.-171 Year-2023 Thana- NAUTAN District- Siwan

Subhnarayan Rai S/O Late Kedarnath Rai R/O Village- Semariya, P.S-
Nautan, Distt.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the State : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-07-2024 Heard Mr. Ajay Kumar Tiwary, learned counsel
for the petitioner and Mr. Satyendra Narayan Singh, learned
A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
09.01.2024, in connection with Nautan P.S. Case No. 171 of
2023, FIR dated 01.09.2023 for the offences punishable under
Sections 304(B), 201 and 34 of the Indian Penal Code.

3. On non-fulfillment of the demand of dowry, the
sister of the informant is said to have been killed by the accused
persons.

4. 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. He further
submits that the allegation as alleged is false and fabricated and



the petitioner has not committed any offence as alleged in the FIR. He further submits that the petitioner has been made accused in the present case only because he is father-in-law of the deceased. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act against the petitioner and the petitioner is living separately and he has no concern at all with any individual affairs of the deceased or her husband. 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 09.01.2024.

5. Learned learned A.P.P. for the State, on the other hand, opposed the prayer for bail of the petitioner.

6. 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 Judicial Magistrate, 1st Class, Siwan in connection with Nautan P.S. Case No. 171 of 2023 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 canceled 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.

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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