

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60176 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- NAANPUR District- Sitamarhi

Md. Jahangir @ Jahangir S/o Md. Habib Resident of Village- Jhitaki Ward
No.13, P.S.- Nanpur, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-09-2024 Heard Mr. Ashok Kumar Jha, learned counsel for the petitioner, learned counsel for the informant and Mr Ashok Kumar Singh learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nanpur P.S. Case No. 198 of 2024 ,FIR dated 01.05.2024 registered for the offences punishable under Section 304B/34 of the Indian Penal Code.

3. According to prosecution case, petitioner alongwith other accused persons have committed the dowry death of the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case merely on the ground that the petitioner is father-in-law of the deceased. He further submits that the



allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and it appears from the FIR itself that there is no specific allegation against the petitioner rather there is general and omnibus allegation against the petitioner and the husband of the deceased, who happens to be the son of the petitioner, is in judicial custody since 03.05.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the FIR and apart from that, there is specific allegation against the petitioner in the FIR.

6. Considering the aforesaid facts, petitioner has clean antecedent and son of the petitioner, who happens to be the husband of the deceased, is in judicial custody, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 SDJM, Pupri, Sitamarhi, in connection with Nanpur P.S. Case No. 198 of 2024, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure and with other 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/her 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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