

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67515 of 2023

Arising Out of PS. Case No.-304 Year-2022 Thana- SHERGHATI District- Gaya

Vikash Kumar Son Of Rajesh Yadav Resident Of Village -GOPALPUR, P S-
Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Jubair Ansari, Advocate

For the State : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 10-04-2024 Heard Md. Jubair Ansari, learned counsel for the

petitioner and Mr. Nand Kishore Prasad, learned A.P.P. for the

State.

2. The petitioner seeks bail in connection with
Sherghati P.S. Case No. 304 of 2022, dated 20.04.2022,
registered for the offence under Section 304(B)/34 of the Indian
Penal Code.

3. As per the prosecution case, the petitioner along
with other are alleged to have killed the daughter of the
informant on non-fulfillment of the dowry.

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 merely on
the ground that the petitioner is husband 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. He further submits that the allegation as alleged in the FIR is not supported the by the medical evidence and even the FSL report does not support the allegations and the police after investigation submitted the charge-sheet. He further submits that the petitioner is in custody since 26.06.2023.

5. Learned A.P.P. for the State 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 A.C.J.M., Sherghati at Gaya in connection with Sherghati P.S. Case No. 304 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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