

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77240 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- Madhusudanpur District- Bhagalpur

Md. Suleman Son of Late Md. Sakur Ali Resident of Mohalla-Rahmat Bagh,
P.S. -Madhusudanpur, District -Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Maslehuddin Ashraf, Advocate
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-10-2024 Heard Mr.Syed Maslehuddin Ashraf, learned counsel
for the petitioner and Mr.Md. Ataur Rahman, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
10.06.2024 in connection with Madhusudanpur P.S. Case No.
72 of 2024, F.I.R. dated 09.06.2024 registered for the offence
punishable under Sections 304B/34 of IPC.

3. According to the prosecution case, sister of
informant was subjected to torture and abuse by her in-laws
over non-fulfillment of dowry demand and later informant came
to know that her sister has committed suicide.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Further submits that petitioner is father-in-law of



the deceased and it appears from the FIR itself 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, Munni Khatoon @ Bibi Munni, who happens to be the mother-in-law of the deceased, has been granted privilege of anticipatory bail by this Court vide order dated 05.10.2024 passed in Cr. Misc. No.65843 of 2024 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 10.06.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 Chief Judicial Magistrate, Bhagalpur in connection with Madhusudanpur P.S. Case No. 72 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)

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