

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10429 of 2025

Arising Out of PS. Case No.-173 Year-2020 Thana- WARISNAGAR District- Samastipur

Shashi Bhushan Singh @ Shashi Bhushan Mahto Son of Ram Kaleshwar
Singh Resident of Village - Patiyasha, P.S. - Ahiyapur, District - Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-02-2025 Heard Mr.Jay Ram Prasad,learned counsel for the
petitioner and Mr.Pranav Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
05.11.2024 in connection with Warisnagar (Mathurapur) P.S.
Case No. 173 of 2020, F.I.R. dated 22.07.2020 registered for the
offence punishable under Sections 304(B)/201 & 34 of IPC and
Sections 3/4 of D.P.Act.

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. He has falsely
been implicated in the present case. The allegation as alleged in
the FIR is false and fabricated and it appears from the FIR that



there is no specific allegation of any assault, overt-act or demand of dowry attributed against the petitioner and the petitioner is maternal uncle of the husband of the deceased and the husband of the deceased is already in judicial custody and there is no such allegation rather there is general and omnibus allegation. Further submits that several co-accused persons have been granted anticipatory bail or regular bail by different Coordinate Benches of this Hon'ble Court vide Cr. Misc. Nos.27625/2021 dated 07.03.2022, Cr. Misc. No.366/2021 dated 16.09.2021, Cr. Misc. No.54994/2022 dated 19.01.2023 and Cr. Misc. No.4376/2024 dated 17.02.2024 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 05.11.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, there is no specific allegation of any assault, overt-act or demand of dowry attributed against the petitioner and several co-accused persons have been granted anticipatory bail or regular bail by different Coordinate Benches of this Hon'ble Court, 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 C.J.M., Samastipur in connection with Warisnagar (Mathurapur) P.S. Case No. 173 of 2020, 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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