

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25184 of 2025

Arising Out of PS. Case No.-263 Year-2023 Thana- HATHAURI District- Muzaffarpur

Dheeraj Kumar @ Dheeraj Ojha son of Ashok Kumar Ojha @ Ashok Ojha
Village -Amma PS -Hathauri District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-07-2025 Heard Mr. Hari Kishore Thakur, learned counsel for
the petitioner and Mr. Mohammed Arif, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Hathauri P.S. Case No. 263 of 2023, F.I.R. dated 25.12.2023 for the offences punishable under Sections 323, 120-B, 498-A, 302, 201 and 504 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act.

3. As per the First Information Report, the informant alleged that the petitioner along with other accused persons killed her daughter.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. From bare perusal of the FIR it



appears that main allegation is against the mother-in-law of the informant and there is no specific allegation against the petitioner and the petitioner is the father of the deceased and nothing has come during investigation which suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is the son of the co-accused and with common intention they have committed the present crime in question

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and there is main allegation against co-accused person who happens to be the mother of the petitioner(mother-in-law of the informant), let the petitioner, above named, in the event of 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 the learned J.M 1st Class, Muzaffarpur(East) in connection with Hathauri P.S. Case No. 263 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section



482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 absence on two consecutive dates without sufficient reason, his 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 bond 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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