

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78531 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- SIMRI District- Buxar

Kanahaiya Rajbhar Son of Hira Lal Rajbhar Resident of Village - Parmanpur,
P.O. - Naya Bhojpur, P.S. - Simri, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Choubey, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-01-2025 Heard Mr.Shailendra Kumar Choubey, learned
counsel for the petitioner and Mr.Umeshanand Pandit, learned
A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
28.08.2024 in connection with Simri P.S. Case No. 24 of 2024,
F.I.R. dated 22.01.2024 registered for the offence punishable
under Section 304(B),34 of IPC.

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 merely on the ground that



petitioner is father-in-law of the deceased. Further submits that from a bare perusal of the FIR it appears 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 the petitioner. In fact the victim has committed suicide herself and the co-accused persons, namely, Gangajali Devi and Bashmati Devi, they happen to be the mother-in-law and sister-in-law of the deceased, have been granted bail by this Court vide order dated 26.07.2024 passed in Cr. Misc. No.26036 of 2024. Further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 28.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault, overt-act or demand of dowry attributed against the petitioner in the FIR and co-accused persons, namely, Gangajali Devi and Bashmati Devi, they happen to be the mother-in-law and sister-in-law of the deceased, have been granted bail by this 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 Principal District and Sessions Judge, Buxar in connection with Simri P.S. Case No. 24 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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