

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12561 of 2020

Arising Out of PS. Case No.-178 Year-2019 Thana- RIGA District- Sitamarhi

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1. Israfil Tahkurail @ Israfil Thakarail S/o Late Islam Resident of Village- Islampur, P.S.- Riga, Distt- Sitamarhi.
 2. Rehana Khatoon W/o - Israfil Thakurail @ Israfil Thakarail Resident of Village- Islampur, P.S.- Riga, Distt- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms. Madhubala Verma, Adv.

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APPs

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 15-12-2020 Heard learned counsel for the petitioners and
learned counsel for the State via video conferencing.

2. The petitioners seek pre-arrest bail in connection
with Riga P.S. Case No. 178 of 2019 registered for the offences
punishable under Sections 498-A, 304B, 201, 120B/34 of the
Indian Penal Code.

3. It is submitted by the learned counsel for the
petitioners that though the death of the daughter of the
informant is said to have taken place on 06.05.2019 and the
informant and the accused persons are resident of the same
village, the complaint was filed in the court after 25 days of the
alleged date of occurrence on 31.05.2019, which was referred to



the police for investigation, pursuant to which, the FIR was instituted on 26.06.2019. It is further contended that during investigation, several witnesses have stated that the daughter of the informant had died a natural death due to illness.

4. Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners. He submitted that the petitioners are in-laws and there is allegation of causing death of the daughter of the informant for non-fulfillment of demand of dowry.

5. Having heard the learned counsel for the parties and perused the statement of witnesses recorded in the case diary, especially, the statements of the witnesses, namely, Md. Din Thakurai, Md. Ausman Ansari and Md. Abdul Khalifa as recorded in paragraphs-17, 32 and 33, I am inclined to grant pre-arrest bail to the petitioners. They are directed to be released, in the event of their arrest or surrender, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S. Case No. 178 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

6. Since the court proceedings are being conducted



through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my e-mail by the Sr. Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the Sr. Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Sr. Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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