

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17766 of 2020**

Arising Out of PS. Case No.-658 Year-2019 Thana- MUFFASIL District- West Champaran

1. SHAMIM DEWAN @ SHAMIM DEWAN S/O Late Isha Dewan Resident of village - Jokaha, P.S. - Manuapul, District - West Champaran.
2. Aaysha Khatoon W/O Shamim Dewan @ Shamim Dewan Resident of village - Jokaha, P.S. - Manuapul, District - West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 03-06-2020 This application has been placed for consideration by the order of the Hon'ble the Chief Justice through virtual court proceeding.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners in the present case are seeking regular bail in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 658 of 2019 registered for the offences punishable under Sections 304B/34 of Indian Penal Code.

Learned counsel for the petitioners submits that these two petitioners are father-in-law and mother-in-law of the deceased, they are separate in mess and business from their son



and they have remained in custody for over six months.

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

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that these two petitioners are the father-in-law and mother-in-law of the deceased, they are living separately from their son and in the First Information Report there is no specific allegation of any demand of dowry against the petitioners as also that the petitioners have remained in custody for over six months, investigation against them is complete and it is not the submission of the State that release of these petitioners at this stage in any way going to affect the trial, let the petitioners above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 658 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

- (a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,
- (b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

