

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20202 of 2021

Arising Out of PS. Case No.-267 Year-2019 Thana- SONBERSA District- Sitamarhi

1. NAWAL KISHORE MISHRA @ NAWAL MISHRA SON OF LATE KALAR MISHRA R/O - DIGHI, P.S.- BATHNAHA, DISTRICT- SITAMARHI.
2. RUCHI MISHRA WIFE OF NAWAL KISHORE MISHRA @ NAWAL MISHRA R/O - DIGHI, P.S.- BATHNAHA, DISTRICT- SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-09-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 307, 498(A), 323, 326 of the Indian Penal Code and u/s 3/4 of Dowry Prohibition Act.

As per the prosecution case, these petitioners along with other co-accused persons sprinkled kerosene oil on the informant and burnt her for non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioners submits that petitioner No.1 is father-in-law of the informant and petitioner No.2 is her mother-in-law and no specific overt act is alleged against these petitioners. These petitioners are living separately from their son and daughter-in-law and it is a case of accidental fire in course of making food. Petitioners are old age persons and petitioner No.1 is in custody since 08.09.2020 and petitioner No.2 is in custody since 15.09.2020 and investigation



in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, 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 Additional Chief Judicial Magistrate-IV, Sitamarhi in connection with Sonbarsa PS case No. 267/2019 on the following conditions:-

(1) 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.

(2) 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.

(Prabhat Kumar Singh, J)

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