

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48680 of 2021

Arising Out of PS. Case No.-406 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

SURESH THAKUR Son of Late Shankar Thakur Resident of Village -
Pahatiya, P.S. - Hajipur Sadar, District - Vaishali at Hajipur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Navjot Yesu, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-09-2021 Heard learned counsel for the petitioner and
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Hajipur Sadar P.S. Case No. 406/2020
registered for the offences punishable under Section 304B, 328,
201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per
the prosecution story the marriage between the son of the
petitioner and the deceased had been solemnized on 20.06.2014.
In the F.I.R. itself, it is admitted that after two years the demand
of dowry was made, therefore it is his submission that it is
highly improbable that after two years of good relationship,
there will be a demand of dowry.

Learned counsel further submits that there is a general
and omnibus kind of allegation against the husband, the father-



in-law and mother-in-law. The F.I.R. further states that out of the wedlock the deceased and the petitioner had got one female child also and that indicates cordial relationship between them.

Learned counsel further submits that in the nature of the accusation a learned coordinate Bench has been pleased to grant privilege of anticipatory bail to the mother-in-law in Cr. Misc. No. 803/2021 (Annexure '2'). The petitioner is 74 years old and he is in custody since 01.07.2021.

Learned counsel further submits that the husband of the deceased is already in judicial custody. Prayer has been made to release the petitioner on the ground that the allegations are similar to those which have been made against the mother-in-law and further that investigation against the petitioner is over.

Mr. Akhileshwar Dayal, learned A.P.P. for the State appears and submits that so far as the case of this petitioner is concerned, it cannot be distinguished from that of the mother-in-law and both are standing on similar footing.

In the facts and circumstances and in the nature of the submissions made herein above, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties



of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 406/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

