

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20008 of 2022**

Arising Out of PS. Case No.-486 Year-2021 Thana- Narpatganj District- Araria

1. Subodh Mishra S/o Narendra Mishra R/o Village Fatehpur, P.S. Narpatganj, District - Araria.
2. Ashish Kumar S/o Subodh Mishra R/o Village Fatehpur, P.S. Narpatganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Giri, Adv.

For the Opposite Party/s : Mr. A.G

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      11-08-2022                      Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Narpatganj P.S. Case No. 486 of 2021 lodged under Sections 304(B)/201/34 of the I.P.C.

The prosecution case is relating to dowry death and disposed of the dead body with common intention is there in the F.I.R.

Learned counsel for the petitioners submits that petitioner no. 1 is the father-in-law and petitioner no. 2 is the

husband of the deceased. He submits that the content of the F.I.R. is false and the factual story is otherwise. It is a case of suicide and not a case of murder for dowry. Learned counsel further submits that petitioner no. 1 is in custody since 17.11.2021 whereas petitioner no. 2 is in custody since 03.12.2021. He further submits that charge sheet has already been filed and the criminal antecedent of the petitioners are clean.

Learned counsel for the State opposes the prayer for bail and submits that petitioner no. 2 is the husband and the allegation of dowry death is there in the present case. Petitioner no. 1 is the father-in-law and a general and omnibus allegation was made against him. He further submits that being the husband, he is primarily responsible to protect/save his wife which he has not done. He also not intimated about the such event to his in-laws family. It is the villagers who informed about this event to the informant.

In the present facts and circumstances of this case and the submissions made above, let petitioner no. 1 above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria,

District - Araria in connection with Narpatganj P.S. Case No. 486 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner no. 1 shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

So far as the bail application of husband is concerned, I am not inclined to grant the bail to petitioner no. 2 (husband of the deceased).

Trial Court is directed to expedite the trial as earliest as possible preferable within one year.

**(Dr. Anshuman, J.)**

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