

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30838 of 2021

Arising Out of PS. Case No.-250 Year-2020 Thana- RAJIVNAGAR District- Patna

1. KARISHMA KUMARI Wife of Gaurav Ranjan @ Sourav Kumar @ Sourav Ranjan R/o Mohalla- Nepali Nagar, Ashiiyana, P.S.- Rajiv Nagar, District-Patna.
2. Gaurav Ranjan @ Sourav Kumar @ Sourav Ranjan Son of Late Brijnandan Ray R/o Mohalla- Nepali Nagar, Ashiiyana, P.S.- Rajiv Nagar, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-06-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offence under Sections 328, 302/34 of the Indian Penal Code.

The daughter of the informant is subjected to assault and torture and finally she has been done to death for non-fulfillment of demand of dowry made by the petitioners.

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, is innocent and have falsely been implicated in this case. He submits that petitioner no.1 happens to be sister-in-law and petitioner No.2 is



brother -in-law of the deceased and they have not assaulted the deceased nor they have demanded any dowry in any manner. He further submits that there is general and omnibus allegation against the petitioners and no specific allegation of assault is attributed to them. He further submits that similarly situated accused, namely, Brajnandan Rai has already been granted the privilege of anticipatory bail vide order dated 20.01.2020 passed in Cr. Misc. No. 7283 of 2021. He further submits that the police after investigation has submitted charge-sheet under Section 306 of the Indian Penal Code in this case against the petitioners. Hence, the petitioners may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners in the event of their arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Town Rajiv Nagar P.S. Case No. 250 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

(1) Petitioners shall co-operate in the investigation 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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