

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26547 of 2022

Arising Out of PS. Case No.-13 Year-2021 Thana- BIHTA District- Patna

-
1. SHOBHA DEVI W/o Surendra Gupta @ Surendra Sao Resident of Village - Yamunapur, Katesar, P.s.- Bihta, Distt.- Patna.
 2. Rahul Kumar @ Santu Kumar Son of Surendra Gupta @ Surendra Sao Resident of Village - Yamunapur, Katesar, P.s.- Bihta, Distt.- Patna.
 3. Khushi Kumari D/o Surendra Gupta @ Surendra Sao Resident of Village - Yamunapur, Katesar, P.s.- Bihta, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pankaj Kumar Son of Late Sita Ram Sah Resident of Village - Mehdhawan, P.s.- Maner, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Section 304(B)/34
of the Indian Penal Code.

According to prosecution case, the petitioner along
with accused persons are said to be tortured the daughter of the
informant on non-fulfillment of demand of dowry and



subsequently they done to death over non-fulfillment of their demand.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that petitioner no.1 is the mother-in-law, petitioner no.2 is brother-in-law and petitioner no.3 is sister-in-law of the deceased and there is no specific allegation against these petitioners in the F.I.R. He further submits that during investigation it has come that the deceased has committed suicide and petitioners have no concern at all with the family affairs of the deceased.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the basis of material available on the record and case diary but fairly submits that it has come during investigation that the deceased has committed suicide.

Considering the aforesaid facts and circumstances, let the petitioners, above named, 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 the learned Court below where the case is



pending in connection with Bihta P.S. Case No. 13 of 2021,
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 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 their absence
on two consecutive dates without sufficient reason,
their bail bond shall be cancelled 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.

3. 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)

mdrashid/-

U		T	
---	--	---	--

