

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30574 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- SAHPUR District- Patna

1. Ram Babu Rai, S/O Late Arjun Rai R/O Village- Akluchak, P.S.- Shahpur, District- Patna
2. Savita Devi, W/O Ram Babu Rai R/O Village- Akluchak, P.S.- Shahpur, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of three cases and petitioner no.2 is a person with clean antecedent and is a woman and the informant alleges that his sister was married to Vicky Kumar @ Sudhir Kumar in Year 2018 and out of the wedlock, one child was born. It is next alleged that after marriage, the accused persons including the petitioners started demanding money,



vehicle and other things and for non-fulfilment of the same, she was tortured. It is next alleged that on 15.01.2022, the husband of the deceased informed him on mobile that his sister is ill. Accordingly, the informant reached the place of occurrence and saw his sister lying dead. It is further alleged that the nearby people informed him that his sister was killed by the named accused persons including the petitioners, who had fled.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case being father in-law and mother in-law of the deceased. It is next submitted that the allegation of demand and torture is general and omnibus in nature. It is also submitted that it is the duty of the husband to ensure that the wife lives with dignity and honour. It is also submitted that the husband of the deceased is in custody.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees 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 Shahpur P. S. Case No.22 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, the learned trial Court before accepting the bail bonds of the petitioners shall verify whether the husband of the deceased is in custody or not and in the event, if it is found that he is not in custody, the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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