

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33696 of 2022

Arising Out of PS. Case No.-130 Year-2021 Thana- BARAUNI District- Begusarai

1. Pramod Ray Son Of Shiv Balak Ray R/O Village- Malhipur Dakshini Ward No.-01, P.S.- Barauni (Chakiya), District- Begusarai
2. Goda Devi W/O- Pramod Ray R/O Village- Malhipur Dakshini Ward No.-01, P.S.- Barauni (Chakiya), District- Begusarai

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-09-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners seek regular bail in connection with Barauni (Chakia) P.S. Case No.130 of 2021 registered for the offence punishable under Section 304(B) of the Indian Penal Code.

The main allegation is that the informant's daughter who happens to be daughter-in-law of the petitioners was tortured by the petitioners and two other co-accused persons for



the demand of motorcycle and cash amount and on account of the said demand having been not fulfilled by the victim, the petitioners and their family members including the husband of the victim killed the informant's daughter and dis-appeared the dead body of the victim also.

The main submissions advanced by the learned counsel Mr. Shubhesh Pandey for the petitioner are that all the family members of the petitioners have been made accused in this case and against the petitioners there is no specific allegation of alleged cruel behaviour and the alleged demand of motorcycle and cash amount were not concerned with the petitioners and they were separately living from the husband of the victim at the time of the alleged occurrence. Further submission is that the husband of the deceased is in judicial custody and a minor daughter of the victim aged about three years is in the lap of petitioner No.2 and at the present time there is no one to look after the child as both the petitioners are in jail. Further submission is that both the petitioners have been languishing in jail since 19.04.2022 and during the investigation the investigating officer visited the alleged place of occurrence but did not find any incriminating material to support the allegation made in the FIR.



Learned APP Mr. A.G appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly taking into account the facts that both the petitioners are stated to be the in-laws of the deceased, there is no specific allegation of alleged cruelty and at the present time the deceased's minor daughter aged about three years is in the lap of petitioner No.2 who is also in the jail and according to the counsel for the petitioners there is no one except the petitioners to look after the said child and as per the submission made by the learned counsel for the petitioners, the chargesheet has been submitted and their case is at initial stage, in the opinion of this Court a lenient approach can be taken in respect of petitioners' prayer, let the petitioners' be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Barauni (Chakia) P.S. Case No.130 of 2021.

(Shailendra Singh, J.)

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