

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34333 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- FORBESGANJ District- Araria

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1. Md. Hefaz son of Md. Yasin, Resident of Village-Pothiya, P.S.- Forbesganj (Simraha), District-Araria.
 2. Saharun Khatoon wife of Md. Hefaz, Resident of Village-Pothiya, P.S.- Forbesganj (Simraha), District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Adv.

For the Opposite Party/s : Dr. (Mrs.) Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-09-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioners seek regular bail in connection with
Forbesganj P.S. Case No. 22 of 2022 lodged under Sections 304
B and 34 of the I.P.C.

As per the prosecution case, the allegation of dowry
death is against the entire family members of the victim.
Learned counsel for the petitioner submits that the petitioners
are father-in-law and mother-in-law of the deceased. It has been
categorically mentioned that they are living separately from the
son and daughter-in-law.

Learned counsel for the petitioners submit that the husband of the deceased is already in custody. Petitioners are in jail since 08.01.2022 having clean antecedent. It has been further submitted that there is general and omnibus allegation against the petitioners.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners 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 Sessions Judge, Araria in S.T. No. 163 of 2022 arising out of in connection with Foebesganj P.S. Case No. 22 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the

petitioners.

C. The petitioners shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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