

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35508 of 2022

Arising Out of PS. Case No.-225 Year-2021 Thana- TARAIYA District- Saran

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1. KAMROOL HASSAN @ KAMROODDIN ANSARI S/o Late Abdul Subhan @ Late Md. Subhan Ansari, Resident of Village- Inai, Police Station- Rivilganj, District- Saran. At present resident of Village- Faridpura, Police Station- Taraiya, District- Saran.
 2. Hasina Begam W/o Kamrool Hassan @ Kamrooddin Ansari, Resident of Village- Inai, Police Station- Rivilganj, District- Saran. At present resident of Village- Faridpura, Police Station- Taraiya, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dr. Rajesh Kumar Singh, Advocate Mr. Sanjay Kumar Jha, Advocate Mr. Anant Kumar Bhaskar, Advocate
For the Informant	:	Mr. Surendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-09-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual mode.

The petitioners seek regular bail in connection with Taraiya P.S. Case No. 225 of 2021, lodged under Sections 323, 498(A) and 304(B)/34 of the Indian Penal Code.

The allegation of dowry death after torture and assault has been made in the F.I.R. against 3 named accused persons including the petitioner.

Learned counsel for the petitioner submits that petitioners are the father-in-law and mother-in-law. He further submits that the husband of the deceased is already in custody and in this regard he has made statement in paragraph-6 of the petition. Learned counsel further submits that petitioners are innocent and have committed no offence. He further submits that all the allegations are general and omnibus in nature. He further submits that petitioners are in custody since 22.11.2021. He also submits that their daughter-in-law has a baby aged about 6 months, who is also in custody living with the petitioners. Learned counsel for the petitioners further submits that petitioner no.1 is aged about 61 years and suffering from partial paralysis.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant appeared in this case and vehemently opposes the prayer for bail. He submits that the death of the informant's daughter has caused just within one year of the marriage. Therefore, bail may be rejected.

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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.Ist., Saran at Chapra in connection with Taraiya P.S. Case No. 225 of 2021, 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 their bail bond.

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

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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