

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36133 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- KHARHAGPUR District- Munger

1. Surendra Ram Son of Bodhu Ram, Resident of Village- Mahadeopur, P.S.- Khadagpur, District- Munger
2. Rajan Ram @ Rajendra Ram Son of Surendra Ram, Resident of Village- Mahadeopur, P.S.- Khadagpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2022 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.

The petitioners seek regular bail in connection with
Khadagpur P.S. Case No. 84 of 2022, lodged under Section
304B/34 of the Indian Penal Code.

As per the prosecution case, the allegation of dowry
death in furtherance of the common intention is there in the
F.I.R. against 7 named accused persons who are family
members.

Learned counsel for the petitioners submits that there

is a general and omnibus allegation against all the persons. Learned counsel for the petitioners further submits that it is not the case of murder rather, it may be a case of suicide due to illicit relation alleged to be exist between the wife of elder brother of petitioner no.2 and the husband of deceased. Learned counsel for the petitioners further submits that the present petitioners are the father-in-law and brother-in-law of the deceased. He further submits that there is a general and omnibus allegation against them, nothing specific are there. He also submits that the husband of deceased is already in custody since last three months. Learned counsel for the petitioners further submits that both the petitioners are man of clean antecedent, they are in custody since 17.05.2022 and charge sheet has already been filed in this case.

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 petitioner 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 Judicial Magistrate 1st Class, Munger in connection with Khadagpur P.S. Case No. 84 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 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.

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 their present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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