

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37007 of 2022

Arising Out of PS. Case No.-210 Year-2021 Thana- NAVINAGAR District- Aurangabad

1. Naresh Bhagat S/O Late Lakhandeo Pal.
2. Indu Devi W/o Naresh Bhagat, Both Resident of Village-Gongra Dam, P.S.- N.T.P.C., Khaira, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2022 Heard Ms. Mukul Kumari, learned counsel for the petitioners and the learned APP for the State through virtual mode in view of COVID-19.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioners are in judicial custody in connection with Navinagar P.S. Case No.210 of 2021 instituted under Sections 304(B), 201/34 of the I.P.C.

As per the prosecution story, the informant has alleged that his daughter was married to Vivek Raj @ Anil Pal but she was regularly tortured for dowry and on the fateful day, they were informed that she died.

Learned counsel for the petitioners submit that both the petitioners are mother-in-law and father-in-law aged persons



living separately from the couple and had nothing to do in the matter. Her further submission is that the husband is in custody since 17.05.2022 (as stated in para-18 of the bail application). Her last submission is that although the alleged death occurred on 19.08.2021, the FIR was finally instituted on 01.09.2021 .

Be that as it may, the petitioners are mother-in-law and father-in-law, are in custody since 17.05.2022, charge-sheet stands submitted, the husband is in jail, this Court is inclined to grant them privilege of bail.

Let both the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Navinagar P.S. Case No.210 of 2021 to the satisfaction of learned A.C.J.M.,Ist, Aurangabad, subject to following conditions:

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail by the Trial court itself;



(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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