

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51300 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- MORKAHI District- Khagaria

1. SUNIL RAM @ CHHITAN RAM S/O LATE LUCHO RAM Resident of village- Marar, P.S.- Morkahi, District- Khagaria.
2. HEERA DEVI W/O SUNIL RAM @ CHHITAN RAM Resident of village- Marar, P.S.- Morkahi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 325, 504, 506, 498(A)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The informant is subjected to assault and torture on account of non- fulfillment of demand of dowry made by the petitioners

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case. He



further submits that in fact, the petitioner Nos.1 and 2 happen to be father-in-law and mother-in-law of the informant and they have never demanded any dowry nor they have assaulted the informant in any manner. He further submits that there is general and omnibus allegation against the petitioners and no specific allegation of any overt act is attributed to them. Moreover, the petitioners have been living separately from the informant and his son. Hence, the petitioners may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners in the event of arrest of surrender before the court below within a period of four weeks from the date of order be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Morkahi P.S. Case No. 31 of 2022/G.R. No. 975 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-



(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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