

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53115 of 2022**

Arising Out of PS. Case No.-321 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Tilak Sharma, Son of Kesho Sharma, Resident of Village - Ward No.- 07, Dumri, P.S.- Muffasil (Singhaul O.P.), District - Begusarai.
 2. Chunchun Kumar Sharma, Son of Tilak Sharma, Resident of Village - Ward No.- 07, Dumri, P.S.- Muffasil (Singhaul O.P.), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Bipin Kumar, Advocate
For the State	:	Mr.Anil Prasad Singh, APP
For the Informant	:	Mr. Madhukar Anand, Advocate Mr. Shubham Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 23-12-2022 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek bail in connection with
Muffasil (Singhaul O.P.) P.S. Case No.321 of 2020 instituted for
the offence punishable under Sections 302, 304B, 120B/34 of
the Indian Penal Code.

Being father-in-law and brother-in-law of the
victim, the petitioners are accused of having taken part in the
conspiracy leading to killing of the informant's sister for non-



fulfilment of demand for dowry.

Learned counsel for the petitioners submits that even if the allegations are accepted, then at best the petitioners are only accused of conspiring. The allegation is merely because the petitioners' relationship with the victim's husband. The petitioners have been in custody since 19.08.2022. Co-accused have been allowed bail in Cr. Misc. No.60420 of 2021.

Learned counsel for the informant and the learned APP for the State have opposed the prayer for bail.

Considering the rival submissions as also the above noted facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-V, Begusarai, in connection with Sessions Trial No.395(A) of 2021 arising out of Muffasil (Singhaul O.P.) P.S. Case No.321 of 2021, subject to the following conditions:

- (i) That one of the bailors of each of the petitioners will be a close relative of the



petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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