

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54492 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- KUDHNI District- Muzaffarpur

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BASU RAI Son of Late Munna Rai @ Munar Ray Resident of Village -
Shakri Saraiya, P.S.- Kudhani (Turki O.P.), District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and
learned APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 304(B), 201
and 34 of the Indian Penal Code, in connection with Kudhani
(Turki O.P.) P.S. Case No. 87 of 2022.

As per the prosecution story, the informant alleged
that her daughter was married to one Dinesh Rai but she was
tortured for want of dowry and on 19.2.2022, she came to know
that her daughter has been killed and her dead body has been
consigned to flames. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that he is
father-in-law, is of 74 years of age and had nothing to do with



alleged fight between the couple. It is his further submission that the husband is in jail since 15.3.2022 (as stated in para-8 of the bail application).

Considering the statement made in para-8 that the husband is in jail, the father-in-law as also taking into account his age (74 years) and period of incarceration (15.5.2022) and that he do not have any criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-1st (West) Muzaffarpur, in connection with Kudhani (Turki O.P.) P.S. Case No. 87 of 2022 subject to the following conditions:

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

(ii) the petitioner 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 his/her bail bond by the Trial Court itself;

(iii) the petitioner 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 the bail bonds;

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

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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