

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67629 of 2021

Arising Out of PS. Case No.-337 Year-2021 Thana- SIMRI District- Buxar

1. LALAN RAJBHAR @ LALAN RAI S/o Late Sheomurti Rai Resident of village - Parmanpur, P.O. - Nai Bhojpur, P.S. - Semri, District - Buxar.
2. Shanti Rajbhar @ Shanti Devi W/o Lalan Rajbhar @ Lalan Rai Resident of village - Parmanpur, P.O. - Nai Bhojpur, P.S. - Semri, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-07-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Simri P.S.
Case No.337 of 2021 registered for the offence under Sections
304(b) and 34 of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and
are in custody since 09.10.2021.

The allegation against the petitioners is to cause death
of the informant due to non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioners



submitted that both the petitioners are in-laws of the deceased have been implicated in this case for being parents. It has been submitted that, it is mentioned specifically in FIR that deceased was living with her husband, namely, Santosh Rajbhar. It has further been submitted that the petitioners are man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner are in-laws of the deceased.

Considering the facts and circumstances as mentioned above, as the deceased was living with her husband, as per FIR coupled with the fact that charge-sheet has already been submitted in this case, let the petitioners, above named, are directed to be released on bail in connection with Simri P.S. Case No.337 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar, subject to the following conditions:

“(i)That petitioners shall not involve in the similar nature of offence till the conclusion of trial, failing which, the



State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioners.

(ii) Accused/Petitioners shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioners duly supported by the documents.

(iii) That one of the bailors shall be Durgesh Rai, who is the nephew of the petitioner no.1 and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S. Sen/-

U		T	
---	--	---	--

