

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18036 of 2023

Arising Out of PS. Case No.-914 Year-2022 Thana- SUPAUL District- Supaul

1. Kapal Ram @ Kapildeo Ram S/O Satan Ram R/O Muhalla Goravgarh (WARD No.-4), P.S- Supaul, Distt.- Supaul.
2. Mithlesh Ram S/O Kapal Ram @ Kapildeo Ram R/O Muhalla Goravgarh (WARD No.-4), P.S- Supaul, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-05-2023

Heard the parties.

The petitioners are apprehending arrest in connection with Supaul P.S.Case No. 914 of 2022 under sections 302, 120(B) and 34 of the Indian Penal Code.

Prosecution story, in brief, is that the informant alleged before the Officer-in-charge, Supaul P.S. that marriage of her daughter Asha Devi was solemnized with Rupesh Ram in the year 2016. After some time, her husband along with his family members started torturing and assaulting her. She further alleged that on 27.9.2022, when she opposed selling of liquor, she has been killed by hanging by the accused persons.

It has been contended by the learned counsel for the



petitioners that the petitioner no.1 is the father-in-law and petitioner no.2 is the brother-in-law, living separately had nothing to do with the husband of the deceased.

Further, by way of para-12 it has been submitted that the husband is in custody.

Learned APP opposes the prayer for bail.

Considering the fact that they are family members being father-in-law and brother-in-law, do not have criminal antecedents and the husband is in custody, this Court is inclined to extend them the privilege of anticipatory bail.

Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, in connection with Supaul P.S.Case No. 914 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also other 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 bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) 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 the bail bonds;

(v) the petitioners 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 anticipatory bail application is allowed.

(Rajiv Roy, J)

Ravi/Kiran

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