

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20439 of 2023

Arising Out of PS. Case No.-484 Year-2022 Thana- MANER District- Patna

1. PRAMOD KUMAR SON OF RAJDEV RAI R/O BALUPAR, MANER, P.S.- MANER, DISTRICT- PATNA (BIHAR), PIN CODE- 801106
2. SUNITA DEVI @ ANITA DEVI WIFE OF PRAMOD RAY @ PRAMOD KUMAR R/O BALUPAR, MANER, P.S.- MANER, DISTRICT- PATNA (BIHAR), PIN CODE- 801106

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are elder brother-in-law and sister-in-law of the deceased, it is next submitted that on account of non-fulfillment of the dowry demand as detailed in the FIR, the occurrence took place in which it is alleged that the sister of the informant was killed by her family member.



The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eye-witness to the occurrence, it is next submitted that even demand of dowry against the petitioners are general and omnibus in nature. The learned counsel further submits that petitioners will not abscond rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer for eliciting the truth. It is further submitted that whenever occurrence of the nature as alleged in the FIR takes place the entire family members are implicated.

Learned A.P.P. for the State alongwith learned counsel for the informant opposes the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submissions of the learned counsel for the petitioners that the informant is not an eye-witness to the occurrence and the allegation of demand of dowry against the petitioners is not specific.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Maner P.S. Case No. 484 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that in the event if any application is filed by the Investigating Officer of the case before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation or are not presenting themselves before the Investigating Officer, in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons and thereafter to take all coercive steps to ensure that petitioners are behind bar.

Let a copy of this order be sent to the concerned P.S. through the learned trial court.

(Satyavrat Verma, J)

Adnan/-

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