

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24524 of 2023**

Arising Out of PS. Case No.-247 Year-2022 Thana- PARSA District- Saran

ARVIND KUMAR @ ARVIND KUMAR RAI Son of Chaudhary Rai  
Resident of Village - Mathiya, P.S.- Parsa, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr. Vijay Kumar, Advocate     |
| For the Opposite Party/s | : | Mr. Jitendra Kumar Singh, APP |
| For the Informant        | : | Mr. Rakesh Kumar, Advocate    |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      16-08-2023                      Heard learned counsel for the petitioner as also the  
  
State and the informant.

The petitioner is in custody in connection with Parsa P.S. Case No. 247 of 2022 for the offence under sections 304(B) and 34 of the Indian Penal Code and later added section 302 of the I.P.C. lodged on 01.10.2022 by the informant, Chandeshwar Ray.

As per the prosecution story, the informant alleged that the lady was married to Pramod Kumar (who used to stay outside) but was regularly tortured by her in-laws and finally came to know that she has been killed. Accordingly, the F.I.R.

It is the case of the learned counsel for the petitioner that he is the brother-in-law (dewar), specific allegation is against elder brother-in-law (bhaisur), Pravin Kumar that he had broken the hand of the deceased before her death, is a student of



B.A. part II, and had nothing to do with the alleged act.

The last submission is that he is in custody since 03.12.2022 (as stated in paragraph 12 of the petition).

Learned counsel for the informant, on the other hand, submits that the husband used to live away and in his absence, the pregnant lady was tortured which ultimately led to her killing.

Mr. Jitendra Kumar Singh, learned APP has gone through the case diary which was earlier called by a co-ordinate Bench and according to him, the allegation has come against Pravin Kumar (bhaisur) of having broken the hand of the deceased before her death.

Considering the aforesaid facts as also that the petitioner is the 'dewar', according to the petition, he was living separately, is a student of B.A. part-II and is in custody since 03.12.2022, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M. IX, Saran at Chapra, in connection with Parsa P.S. Case No. 247 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) 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;

(v) 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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