

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24328 of 2023

Arising Out of PS. Case No.-268 Year-2022 Thana- TRIVENIGANJ District- Supaul

1. Yogendra Mandal, S/O Satyadev Mandal, Resident of Village- Lalbihari Khunt, Ward No.- 09, P.S.- Triveniganj, District- Supaul
2. Meera Devi, W/O Satyadev Mandal, Resident of Village- Lalbihari Khunt, Ward no.- 09, P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-05-2023

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Sessions Trial no.423/2022 (arising out of Triveniganj P.S. Case no.268/2022) registered under sections 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, it is submitted by the informant that his daughter who was married to the son of the two petitioners herein was tortured for non-fulfillment of the demand of dowry to the tune of Rs. 40,000/-. The informant further states that he received an information that the dead body of his daughter was in the Triveniganj Sub-Divisional Hospital. On reaching there, he found some marks on her neck and as such the informant states that he is convinced that she was done



to death by the accused persons.

4. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case only for the reason of their being the father-in-law and mother-in-law of the deceased. The allegations are false and concocted. On perusal of the F.I.R itself it would be evident that there is no substance in the allegations for the reason that if there had been any truth, the daughter of the informant would not have been taken to the hospital. The petitioners are in custody since 2.6.2022 and have no criminal antecedent. Charge-sheet has been submitted in the case. It is further submitted that as per oral instructions received the husband of the deceased is in custody.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation in the FIR, the petitioners being the father-in-law and mother-in-law of the deceased, their being in custody for more than 11 months since 2.6.2022, not having any criminal antecedent and investigation in the case having concluded with submission of the charge-sheet, both the petitioners are directed to be enlarged on bail in connection with Sessions Trial no.423/2022 (arising



out of Triveniganj P.S. Case no.268/2022), on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I, Supaul.

7. In view of the facts that the trial in the case has already commenced being Sessions Trial no. 423 of 2022 pending in the Court of the learned Additional District and Sessions Judge-I, Supaul, it is directed that the petitioners shall cooperate in the trial and shall remain properly represented on each date. In case, the learned trial court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioners, the learned trial court may cancel the bail bond of the petitioners and take them into custody till conclusion of the trial.

(Partha Sarthy, J)

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