

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33727 of 2023

Arising Out of PS. Case No.-152 Year-2022 Thana- DHANSOI District- Buxar

1. Phoolan Chauhan @ Phoolan Chaudhary S/O Late Sri Chauhan @ Late Shriram Chaudhary R/O Village- Basudevpur, P.S- Dhansoi, Distt.- Buxar.
2. Dharmendra Chauhan @ Dharmendra Kumar S/O Phoolan Chauhan @ Phoolan Chaudhary R/O Village- Basudevpur, P.S- Dhansoi, Distt.- Buxar.
3. Durgawati Devi W/O Phoolan Chauhan @ Phoolan Chaudhary R/O Village- Basudevpur, P.S- Dhansoi, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are in judicial custody in connection with Dhansoi P.S. Case No.152 of 2022 instituted under Section 304(B) of the IPC lodged on 00.11.2022 by the informant Radhika Devi.

As per the FIR, one Radhika Devi, alleged therein that one and half year ago, she got her daughter married to Jitendra Chaudhary but within six months, her husband and parent in-law started demanding dowry. On 2.11.2022, he got information that her daughter committed suicide. She went there and found dead body of her daughter was on a bed and her in-



laws were found disappeared from the house. Accordingly, the FIR.

Learned counsel for the petitioners submit that the petitioners are father-in-law, mother-in-law and brother-in-law (Bhaisur). The further submission is that the husband is in custody since 04.03.2023 (as stated in para-14 of the petition). The last submission is that they were living separately and nothing to do with the present occurrence.

Learned APP opposes the prayer.

Considering the fact that the husband is in custody, they are family members, are in jail since 04.03.2023 and will ultimately face the trial, this Court is inclined to extend them privilege of bail.

Let the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Dhansoi P.S. Case No.152 of 2022 to the satisfaction of learned Additional Chief Judicial Magistrate, Ist, Buxar, subject to following 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 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 their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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