

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33832 of 2023

Arising Out of PS. Case No.-172 Year-2022 Thana- Dehri Mufassil District- Rohtas

SURENDRA RAM SON OF SRI RAMDEO BAITHA RESIDENT OF
VILLAGE- BAL RATI BIGHA ,POLICE STATION- DEHRI, DISTRICT-
ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and Mr.
Jitendra Kumar Singh, learned APP who represent the State.

The petitioner is in custody in connection with Dehri
(muffasil) P.S. Case No. 172 of 2022 for the offence under
Sections 302, 304(B)/34 of the Indian Penal Code lodged on
04.10.2022 by the informant, Ram Pravesh Baitha.

The prosecution case, in brief, is that on 04.10.2022,
at about 6.00 A.M. the informant, who is father of the deceased,
has received an information that his daughter has died. After this
information, the informant and family members went to the



marital house of the deceased where he found that the deceased has died. Her dead body was lying on the bed. Only the mother-in-law of the deceased was present at home and other family members have left the house. It is also alleged in the F.L.R. that the petitioner and his family members assaulted and tortured the deceased for demand of dowry and ultimately killed her.

Learned counsel for the petitioner submits that he is father-in-law residing separately from the couple and nothing to do with the alleged occurrence. It is his further submission/undertaking that the husband of deceased is in custody since 05.10.2022.

Learned APP opposes the prayer stating that he is an accused in a case of dowry death.

Considering the submissions put forward by the learned counsel for the petitioner that he is the father-in-law, the husband is in jail since 05.10.2022, the petitioner himself is in custody since 16.01.2023 and will ultimately have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

If the statement/submission put forward by the learned counsel for the petitioner is incorrect, the bail order against him shall become infructuous.



Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Court of S.D.J.M, Dehri, Rohtas, in connection with Dehri (muffasil) P.S. Case No. 172 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 application is
allowed.

(Rajiv Roy, J)

Jagdish/kiran/-

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