

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34277 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- AKBARPUR District- Nawada

1. RAJENDRA PRASAD son of Late Ghato Mahto @ Late Jato Mahto,
2. PAWANTI DEVI wife of Rajendra Prasad,
BOTH R/O VILLAGE- PACHRUKHI, P.O. RAJHAT, P.S. AKBARPUR,
DISTRICT NAWADA.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Verma
For the State	:	Mr.Lalan Kumar
For the Informant	:	Mr.Ram Sanadesh Rai

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-07-2023 Heard the parties.

The petitioners seek bail in connection with Akbarpur P.S. Case No. 56/2023 registered for the offences punishable under Sections 498(A), 304(B)/34 of the Indian Penal Code.

As per prosecution case, petitioners and others concertedly killed the informant's daughter by pressing her neck due to non-fulfillment of demand of dowry.

Learned counsel for the petitioners submits that petitioners are languishing in custody since 26.01.2023 and bear no criminal antecedent. The petitioners are innocent and have falsely been implicated in this case as petitioner no.1 is father-in-law and petitioner no.2 is mother-in-law of the deceased.



Petitioners have nothing to do with the alleged occurrence. Petitioners have no say in the family affairs of the deceased and her husband. The allegation against the petitioners is general and omnibus in nature. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on 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 learned Chief Judicial Magistrate, Nawada in connection with Akbarpur P.S. Case No. 56/2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the



affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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