

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45650 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- BAJPATTI District- Sitamarhi

1. GEETA DEVI wife of RAM KRIPAL RAI Village- Basaha Ps- Bajpatti Dist- Sitamarhi
2. Suresh Rai son of Ram Kripal Rai Village- Basaha Ps- Bajpatti Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Anand, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-08-2023 Heard Mr. Saurabh Anand learned counsel for the
petitioners and the State.

The petitioners are apprehending arrest in connection with Bajpatti P.S. Case No. 149 of 2022 instituted under under Section 304/34 of the Indian Penal Code lodged on 30.5.2022 by the informant, Rajendra Rai.

As per the prosecution story, the deceased lady was married in 2020 with Shankar Rai but was always tortured for dowry and subsequently, the informant came to know about her death. Accordingly, the FIR.

It is the case of the learned counsel for the petitioners that the petitioner no.1 is the aged mother-in-law and the



petitioner no. is the brother-in-law (Bhaisur) living separately and further the husband was taken into custody and subsequently released by the learned sub-ordinate Court itself.

Learned APP opposes the prayer.

Considering the aforesaid facts that the two petitioners are mother-in-law and brother-in-law and living separately having no criminal antecedent and the husband has already been granted bail, this Court is inclined to extend them the privilege of anticipatory bail.

Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Bajpatti P.S. Case No. 149 of 2022 to the satisfaction of learned S.D.J.M., Pupri at Sitamarhi subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 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 co-operate in the investigation and make themselves available to the police as and when required;

(iv) 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 the bail bonds;

(v) 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.

Before parting, this Court would like to put on record its of word of appreciation for Mr. Saurabh Anand, learned counsel for the petitioner for the proper assistance to the Court.

(Rajiv Roy, J)

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