

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45658 of 2023

Arising Out of PS. Case No.-118 Year-2022 Thana- DANIYAWAN District- Patna

1. Binod Ravidas S/O Manju Ravidas R/O Village- Kohawan, P.S. Daniyawan, Dist. Patna
2. Geeta Dei @ Rita Devi W/O Binod Ravidas R/O Village- Kohawan, P.S. Daniyawan, Dist. Patna
3. Parmila Devi W/O Manju Ravidas R/O Village- Kohawan, Ps. Daniyawan, Dist. Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Awadhesh Kumar, Advocate
For the Informant	:	Mr. Ritesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-10-2023 Heard Mr. Awadhesh Kumar, learned counsel for the petitioners, Mr. Ritesh Kumar, learned counsel appearing on behalf of the Informant and Mr. Syed Mojibur Rahman, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Daniyawan P.S. Case No. 118 of 2022, F.I.R. dated 10.08.2022 registered for the offences punishable under Sections 304(B), 201, 34 of the Indian Penal Code.

3. Allegation against the petitioners is of committing torture and caused death due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that the



petitioners have clean antecedents and they have been falsely implicated in the present case merely on the ground that the petitioners are in-laws of the deceased. He further submits that the petitioner no. 1 is the brother-in-law (*Bhaisur*), petitioner no. 2 is the sister-in-law (*gotani*) and petitioner no. 3 is the mother-in-law of the deceased and they have been living separately from the family members of the deceased and they have no concern at all with the day to day family affairs of the deceased. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation of demand of dowry against all the accused persons including the petitioners and the husband of the deceased namely Pramod Ravidas @ Pramod Kumar has already surrendered on 28.08.2023 and he is in judicial custody since 28.08.2023.

5. Learned counsel appearing on behalf of the Informant as well as learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate 1st Class, Patna City, Patna in connection with Daniyawar P.S. Case No. 118 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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