

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46304 of 2023

Arising Out of PS. Case No.-404 Year-2022 Thana- BHELDI District- Saran

JAIPAL RAY @ JAPAL RAY Son of Gyani Ray Resident of village - Katsa
Siswajan, P.S. - Bheldi, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 304(B), 201, 34 of the IPC.

3. As per the prosecution case, daughter of the informant has
been killed by F.I.R. named accused persons including the
petitioner due to non-fulfillment of demand of dowry.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place.
Petitioner is the father-in-law of the deceased and there is no
specific allegation against him. He has never made any dowry
demand and was living separately from the deceased and her



husband. It is further submitted that husband of the deceased is in judicial custody since 01.09.2023. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since husband of the deceased is already in custody, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bheldi P.S. Case No.404 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, before accepting the bail bond of the petitioner, the learned Court below is directed to verify this fact as to whether the husband of the deceased is in judicial custody or not and if, it is found that he is not in custody, the bail bond of the petitioner shall not be accepted.

(Anjani Kumar Sharan, J)

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