

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54999 of 2023

Arising Out of PS. Case No.-454 Year-2023 Thana- ARA NAGAR District- Bhojpur

1. SHEOJEE PRASAD SON OF LATE SHAUKHINLAL SHAH RESIDENT OF VILLAGE - RAMGARHIYAMITHAKUAN, P.S. - ARA TOWN, DISTRICT - BHOJPUR
2. ASHA DEVI WIFE OF SHEOJEE PRASAD RESIDENT OF VILLAGE - RAMGARHIYAMITHAKUAN, P.S. - ARA TOWN, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajani Ranjan Pd. Singh, Advocate
For the Opposite Party/s	:	Mr.Tarun Prasad Mandal, APP
For the Informant	:	Mr. Raju Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are in judicial custody in connection with Ara Nagar P.S. Case No. 454 of 2023 registered under Sections 304(b)/34 of the Indian Penal Code lodged on 05.06.2023 by the informant, Arun Kumar Gupta.

As per the prosecution story, the allegation is that the victim lady was married to the petitioner's son Ujwal @ Avinash Kumar but was always tortured for dowry and on the fateful day, they were informed that she committed suicide. She was pregnant at the time of death. Accordingly, the FIR.

It is the case of the petitioners that they are aged



parents, living separately and have no role to play in the alleged act. The husband is in custody (as stated in paragraph- 8 of the petition). Further submission is that the petitioners are in custody since 06.06.2023 (as stated in paragraph-9 of the petition) and are ready to abide by all the terms and conditions.

Learned counsel for the informant has appeared and submits that an informatory petition was also preferred prior to the death.

It is unfortunate that despite the inkling, the informant could not save the lady who was pregnant merely because of the societal fear which resulted into her immature leaving this world. However, considering the facts that the petitioners are parents, have remained in custody since 06.06.2023 and they will have to face the trial, this Court is inclined to extend them the privilege of bail.

Let the petitioners be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur in connection with Ara Nagar P.S. Case No. 454 of 2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioners 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 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 their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Jagdish/-

U		T	
---	--	---	--

