

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.55007 of 2023**

Arising Out of PS. Case No.-80 Year-2023 Thana- TARARI District-  
Bhojpur

- =====
1. RAMDULARI DEVI D/O - JAY RAM SAH R/O VILLAGE - DHANGAOWAN,  
WARD NO. 10, P.S. - TARARI
  2. JAY RAM SAH S/O - RAM CHHAPIT SAH R/O VILLAGE - DHANGAOWAN,  
WARD NO. 10, P.S. - TARARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Kumar Nikhil

For the Opposite Party/s : Mr.Rabindra Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**

ORAL ORDER

3      08-11-2023                      Heard Mr. Kumar Nikhil, learned counsel for the  
  
petitioners and Mr. Rabindra Kumar, learned A.P.P. for the State.

The petitioners apprehend their arrest in connection  
with Tarari P.S. Case No. 80 of 2023 registered for the offence  
under Sections 304(B) and 34 of the Indian Penal Code.

The daughter of the informant is subjected to assault  
and torture on account of non-fulfillment of demand of dowry by  
the petitioners and others and she has finally been done to death  
for want of dowry.

Learned counsel appearing for the petitioners submits  
that the petitioners are innocent and have falsely been implicated  
in this case. He further submits that the allegation, as alleged in



the F.I.R., is false and fabricated and the petitioners have not committed any offence. He further submits that petitioner No. 1 happens to be father-in-law and petitioner No. 2 happens to be mother-in-law of the deceased and they have not assaulted or tortured the deceased any manner nor they have demanded any dowry from her. He further submits that there is general and omnibus allegation against the petitioners and the husband of the deceased is in judicial custody.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners and submits that these petitioners have played vital role in the commission of alleged offence but he fairly submits that the husband of the deceased who is son of the petitioners is in judicial custody. He further submits that the petitioners carry one more case other than the present one but they are on bail in that case.

Considering the facts and circumstances of the case, let the, above named, petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bhojpur, Arrah in connection with Tarari P.S. Case No. 80 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the 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 bond shall be canceled by the Court below.

(2) 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.

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 antecedent, 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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