

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61977 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- AGIAON District- Bhojpur

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1. BAIJU CHAUDHARY S/O RAJENDRA CHAUDHARY R/O VILLAGE-MANDARI, P.S- AGION (G), DISTT.- BHOJPUR.
 2. BHUSHAN CHAUDHARY S/O RAJENDRA CHAUDHARY R/O VILLAGE- MANDARI, P.S- AGION (G), DISTT.- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
		Mr. Rajani Ranjan Pd. Singh, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-10-2023 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Agion (G) P.S. Case No. 4 of 2023 for the offence under sections 302, 201/34 of the I.P.C. lodged on 15.01.2023 by the informant, Parmanand Kumar.

3. As per the prosecution story, the informant alleged that his daughter was married to one Mangaru Chaudhary but was tortured for dowry and on 15.01.2023, he came to know about her death as also cremation of the body. Accordingly the FIR.

4. It is the case of the petitioners that they are elder brother and younger brother of the deceased's husband,



Mangaru Chaudhary, living separately and had nothing to do with the affairs and only because they are family members, have been implicated.

5. Further, it is his categorical submission that the husband, Mangaru Chaudhary is in custody.

6. Learned APP opposes the prayer.

7. In view of the categorical statement made by learned counsel for the petitioners that the husband is in custody (which may be verified by the concerned Court), the two petitioners are elder brother and younger brother, living separately and they do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

8. Let the petitioners, above named, be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned A.C.J.M.- 1st , Bhojpur at Ara, in connection with Agion (G) P.S. Case No. 4 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 appear before the concerned police station every fortnight for next six months to mark their attendance;

(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.

9. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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