

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58554 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- PURNAHYA District- Sheohar

PAPPU RAY @ PAPPU KUMAR S/o Rup Narayan Rai Resident of village-
Asogi Chapra Dhani, Police Station- Purnahiya, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-02-2023 Heard learned counsel for the petitioner and the
learned APP for the State

The petitioner apprehends his arrest in connection
with Purnahiya P.S. Case No.56 of 2022 instituted under
Sections 304B, 201/34 of the Indian Penal Code and Section 3/4
of the Dowry Prohibition Act.

As per the prosecution story, the informant alleged
that the deceased lady, his daughter was married to Sujan Ray in
2019 but was always tortured for dowry and on 06-04-2022, he
got information that she has been killed. Accordingly, the FIR
was lodged.

Learned counsel for the petitioner submits that
petitioner is the brother-in-law (Nandoshi) of the deceased
living away from the family and had nothing to do with the
matter. The further submission is that the husband is in custody



(Para-14).

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the aforesaid fact that the petitioner is the 'Nandoshi', do not have criminal antecedent and lives separately from the couple, the husband is in custody, this Court is inclined to grant him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Purnahiya P.S. Case No.56 of 2022 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sheohar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner will make himself available to the police as and when required in course of investigation;

(iii) the petitioner 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 his/her bail bond by the Trial court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(v) the petitioner 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;

(vi) the petitioner 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)

Prakash Narayan /-

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