

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67800 of 2022

Arising Out of PS. Case No.-202 Year-2021 Thana- PIPRAHI District- Sheohar

1. Niraj Kumar S/o Vinod Ray R/o Village- Harkarwa, P.S- Piprahi, District-Sheohar
2. Vinod Ray S/o Yogi Ray R/o Village- Harkarwa, P.S- Piprahi, District-Sheohar
3. Pawan Devi W/o Vinod Ray R/o Village- Harkarwa, P.S- Piprahi, District-Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-02-2023 Heard Mr. Devendra Kumar, learned counsel appearing on behalf of the petitioners and Mr. Pramod Kumar Pandey, learned Additional Public Prosecutor for the State.

The petitioners seek regular bail, who are in custody in connection with Piprahi P.S. Case No. 202 of 2021 registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

As per the prosecution case, it is alleged by the informant that marriage of his daughter was solemnized with co-accused Dhiraj Ray and, at the time of marriage, hefty amount of cash and other valuables were given. After some



time, his daughter was subjected to demand of dowry and on non-fulfillment of the same, she was done to death by all the accused persons including the petitioners.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are elder brother-in-law, father-in-law and mother-in-law of the deceased, respectively. There is no specific allegation against them and, in fact, the entire family members have been made accused in this case. However, similarly situated family members have been granted bail by a learned Co-ordinate Bench of this Court vide orders dated 22.06.2022 and 12.09.2022 passed in Criminal Miscellaneous Nos. 7740 of 2022 and 26905 of 2022. He next submits that during the course of trial, the informant was examined as P.W.4, however, he has not supported the prosecution case and declared hostile. He lastly submits that the petitioners themselves surrendered in the court below and are in custody since 17.08.2022.

On the other hand, learned counsel for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the deposition of the informant as contained in Annexure-3 as also the fact that other



co-accused persons have been allowed the privilege of bail, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Sheohar in connection with Piprahi P.S. Case No. 202 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial.

(ii) They will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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