

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4420 of 2024

Arising Out of PS. Case No.-80 Year-2023 Thana- ASARGANJ District- Munger

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1. BATESHWAR BIND S/O KALESHWAR BIND R/O PUROSHOTTAMPUR CHORGAON, P.S- ASARGANJ, DISTT.-MUNGER.
 2. MANJU DEVI @ MANORAMA DEVI W/O BATESHWAR BIND R/O PUROSHOTTAMPUR CHORGAON, P.S- ASARGANJ, DISTT.-MUNGER.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-02-2024 Heard Mr. Shailendra Kumar, learned counsel for
the petitioners and the State.

2. The petitioners are in custody in connection with Asarganj P.S. Case No. 80 of 2023 for the offence punishable under sections 498(A), 304(B)/34 of the Indian Penal Code lodged on 29.07.2023 by the informant, Manohar Mandal.

3. As per the prosecution story, the lady was married to one Neeraj Kumar, son of these petitioners but was always tortured for dowry and on the fateful day, the informant's family came to know about her killing. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that they are aged father-in-law and mother-in-law, were living separately



from the couple, have already suffered by being in custody since 18.10.2023 (as stated in paragraph 18 of the petition) and it has been categorically stated that the husband is in judicial custody.

5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forward by the learned counsel for the petitioners, the husband is in judicial custody, both are aged father-in-law and mother-in-law and have remained in custody since 18.10.2023, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Munger, in connection with Asarganj P.S. Case No. 80 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 the 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 their bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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