

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14096 of 2024

Arising Out of PS. Case No.-350 Year-2023 Thana- CHANPATIA District- West Champaran

1. Sandeep Kumar S/o Gorakh Sah R/o vill-Maghiya, P.S-Chanpatia, Distt.-West Champaran
2. Sona Devi W/o Gorakh Sah R/o vill-Maghiya, P.S-Chanpatia, Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-03-2024 Heard Mr. Sanjeev Kumar, learned counsel for
the petitioners and the State.

2. The petitioners are apprehending their arrest in connection with Chanpatia P.S. Case No. 350 of 2023 for the offence under Sections 304B, 201 and 34 of the I.P.C. lodged on 09.06.2023, by the informant, Lalbabu Sah.

3. As per the prosecution story, the informant's daughter was married to one Pradeep Kumar, was tortured for dowry and ultimately, she was found missing and later, the dead body was recovered having been buried in the ground. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that



these two petitioners are brother-in-law (*devar*) and mother-in-law (*saas*), living separately having no role to play in the matter and the further submission is that the husband Pradeep Kumar is in custody.

5. Learned APP opposes the prayer stating that the lady went missing and ultimately the body was found buried in the ground.

6. Though, an unfortunate incident has happened, liability lies on the husband (Pradeep Kumar) who is in custody, these two petitioners are brother-in-law and mother-in-law and do not have any criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of their 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 CJM, Bettiah, West Champaran in connection with Chanpatia P.S. Case No. 350 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 their 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 anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

