

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6695 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- DIDARGANJ District- Patna

Bijay Kumar Ray @ Vijay Ray @ Vijay Kumar Ray, Son of Devanandan Ray,
Resident of Vill.-Didarganj, P.S.-Didarganj, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Advocate
For the State	:	Mr. Ganesh Prasad Singh, APP
For the Informant	:	Mr. Ajay Mukharjee, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In this case, the petitioner is apprehending his arrest in connection with Didarganj P.S. Case No. 170 of 2023, registered on 26.05.2023 for the offences under Sections 306 and 304B of the Indian Penal Code.

3. As per prosecution case, petitioner is the father-in-law of the daughter of the informant and allegation against the petitioner and other co-accused persons is that they used to torture and treat the daughter of the informant with cruelty and they have been demanding dowry. Thereafter, due to non-fulfillment of their demand, daughter of the informant was hanged and killed by the petitioner and other co-accused



persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR, it is evident that there is no specific allegation against this petitioner except that he is the father-in-law of the deceased. It is also apparent from the FIR that when the daughter of the informant died only sisters-in-law of the deceased were present in the house. Learned counsel further submits that the husband of the deceased is already in custody. Petitioner is having clean antecedent.

5. Learned APP as well as learned counsel for the informant vehemently oppose the prayer for anticipatory bail. Learned counsel for the informant submits that post-mortem report of the deceased shows four ante-mortem injuries and cause of death is asphyxia due to hanging.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific nature of allegation against the petitioner and lack of substantive material against him and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand



Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna City/court concerned in connection with Didarganj P.S. Case No. 170 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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