

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10323 of 2024

Arising Out of PS. Case No.-457 Year-2022 Thana- PAROO District- Muzaffarpur

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DHEERAJ KUMAR S/O- TUSLI SAHNI R/O- VILLAGE-
BHIKHANPURA, P.S.- PAROO, DIST.- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-02-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Paroo P.S. Case No. 457 of 2022, G.R. No. 2810 of 2022 for the offence registered under sections 341, 323, 304(B), 498(A), 504, 506, 509 and 34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act lodged on 23.09.2022 by the informant, Seema Devi.

3. As per the prosecution story, the informant alleged that his daughter was married to Deepak Kumar Sahni @ Deepak Kumar in the year 2021 but was always tortured for dowry and on the fateful day, she came to know that for the non-fulfillment of dowry, she has been killed. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that it is



a case of suicide, admittedly he is brother-in-law (*devar*), nothing to do with the couple and only because he belongs to the family, implicated. The mother-in-law and sister-in-law have already been granted anticipatory bail.

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

6. Taking into account the fact that the petitioner is the brother-in-law, do not have criminal antecedent, FIR lodged, ultimately he will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. West, Muzaffarpur in connection with Paroo P.S. Case No. 457 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

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

(ii) 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 bail bond by the Trial court itself;

(iii) 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;

(iv) 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)

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