

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21471 of 2024

Arising Out of PS. Case No.-232 Year-2021 Thana- KHUSRUPUR District- Patna

1. Bindu Devi WIFE OF MR. VINAY SINGH @ VINAY KUMAR
RESIDENT OF VILLAGE- BAIKATPUR, PS- KHUSRUPUR, DISTT-
PATNA
2. VIPUL KUMAR SON OF MR. VINAY SINGH @ VINAY KUMAR
RESIDENT OF VILLAGE- BAIKATPUR, PS- KHUSRUPUR, DISTT-
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-04-2024 Heard Mr. Ajay Kumar Thakur, learned counsel
for the petitioners and the State.

2. The petitioners are apprehending arrest in connection with Khusrupur P.S. Case No. 232 of 2021 instituted under Sections 304(B), 201/34 of the Indian Penal Code lodged on 29.9.2021 by the informant, Arvind Kumar.

3. As per the prosecution story, the informant alleged that his daughter was married to Mukul Kumar in the year 2020 but was always tortured for dowry and son-in-law wanted a bullet motorcycle. On 29.9.2021, information came



about killing of his daughter. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that so far as the accused Mukul Kumar is concerned, charge-sheet was submitted against him. He remained in judicial custody and now out on bail in Cr. Misc. No. 70375 of 2023 passed by a coordinate bench on 16.1.2024 (Annexure-6 to the petition).

5. So far as these petitioners are concerned, they are mother-in-law, brother-in-law, the police had submitted final form against them but the learned Magistrate differed from it and on 6.12. 2023, cognizance was taken against them necessitating this petition and as such there is no delay in coming before this Court.

6. Learned APP opposes the prayer stating that the allegation is against all.

7. Considering the aforesaid facts as also that the police had earlier submitted final form against them, now the cognizance has been taken, the husband is out on bail, they do not have criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail.

8. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court



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 the like amount each in connection with Khusrupur P.S. Case No. 232 of 2021 to the satisfaction of learned Judicial Magistrate-1st Class, Patna City, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 co-operate in the investigation and make themselves available to the police as and when required;

(iv) 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;

(v) 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.

(Rajiv Roy, J)

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