

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37275 of 2024

Arising Out of PS. Case No.-490 Year-2022 Thana- RAXAUL District- East Champaran

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Wakil Ansari @ Wakil Ansari S/o Aliraj Ansari R/o Tumaria Tola, Ward No. 4,
P.S.- Raxaul, DIST- EAST CHAMPARAN

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in this seeking regular bail in connection with Raxaul (Haraiya O.P.) P.S. Case No. 490 of 2022 registered for the offences punishable under Sections 304B/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. He is in custody since 22.12.2023. The petitioner has got one criminal antecedent in which he is on bail.

3. As per the prosecution story, the informant's daughter Ruksana Khatoon got married with Abbas Ansari in the year 2010 and after marriage, Abbas Ansari along with his family members started torturing the informant's daughter for fulfilling the demand of a motorcycle and Rs.2,00,000/- cash as dowry. On 17.10.2022 at about 04:00 A.M., when the informant reached her daughter's

matrimonial house, she found her daughter dead and her two children crying there. It is further alleged that her daughter was killed by assaulting with iron, brick, stone etc. on her head.

4. Learned counsel for the petitioner submits that the petitioner is the father-in-law of the deceased and in this very case, the mother-in-law of the deceased has already been granted regular bail by this Court in Cr. Misc. No. 26921 of 2023 *vide* order dated 23.05.2023.

5. Learned counsel for the informant has though opposed the prayer for regular bail of the petitioner but when this Court called upon learned counsel to distinguish the case of the petitioner with that of the mother-in-law of the deceased, who has already been granted regular bail, learned counsel for the informant does not controvert the submissions of the learned counsel for the petitioner that the case of the petitioner would be standing on same footing.

6. Learned APP for the State has simply endorsed the submissions of learned counsel for the informant.

7. In the given facts and circumstances of the case, where the petitioner is father-in-law of the deceased and has remained in custody for about eight months and the mother-in-law of the deceased has already been granted regular bail by this Court, this Court directs that the petitioner above named be

released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul in connection with Raxaul (Haraiya O.P.) P.S. Case No. 490 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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