

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39139 of 2024

Arising Out of PS. Case No.-279 Year-2023 Thana- HASPURA District- Aurangabad

1. Vijendra Rajvanshi S/o Late Munshi Rajvanshi R/o Tall tole bibipur P.S. Haspura, Distt Aurangabad
2. Jokhani Devi W/o Vijendra Rajvanhsi R/o Tall tole bibipur P.S. Haspura, Distt Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2024 Heard Mr. Ashok Singh, learned counsel for the petitioners and Md. Fahimuddin, learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who are in custody since 25.01.2024 in connection with Haspura P.S. Case No. 279 of 2023, F.I.R. dated 10.10.2023 for the offences punishable under Sections 304(B), 120(B), 201/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. According to prosecution case, all the accused persons including these petitioners have killed the daughter of the informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case merely on the ground that the petitioners are in-laws of the deceased. He further submits that it appears from the F.I.R that there is no specific allegation of any assault, overt act or demand of dowry against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. Apart from that the husband of the deceased who happens to be the son of the petitioners is rotting in jail since 25.01.2024. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 25.01.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned JM cum AM-1, CJM Division, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 279 of 2023, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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