

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49419 of 2024

Arising Out of PS. Case No.-718 Year-2023 Thana- JAHANABAD District- Jehanabad

1. Birendra Prasad @ Birendra Kumar son of Ramvilash Yadav Village-Devariya Ps Dist- Jehanabad
2. Meena Devi @ Bhagtini wife of Birendra Prasad @ Birendra Kumar Village- Devariya Ps Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Neeraj, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-08-2024

Heard the parties.

2. The petitioners are apprehending arrest in connection with Jehanabad P.S. Case No. 718 of 2023 instituted under Sections 498(A)/304(B)/34 of the Indian Penal Code and 3/4 of the D.P. Act lodged on 01.08.2023 by the informant, Ravi Kumar.

3. As per the prosecution story, the informant alleged that his sister was married to Suraj Kumar, son of these two petitioners but was tortured for dowry. He tried his best to take the matter to an amicable end but ultimately she was murdered and accordingly, the FIR.

4. Learned counsel for the petitioners submit that



they are father-in-law and mother-in-law, living separately and have no role to play in the matter. Further submission is that the husband is already in custody for last one month though same is not on record, learned counsel for the petitioners submit that his statement be recorded that the husband is in custody.

5. Learned APP opposes the prayer stating that the allegation is against the family members also.

6. Considering the aforesaid submission as also the fact that these two petitioners are father-in-law, mother-in-law and as per clear statement made by the learned counsel for the petitioners that the husband is now in custody, both are aged couple and do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail.

7. 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 Jehanabad P.S. Case No. 718 of 2023 to the satisfaction of learned C.J.M., Jehanabad 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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