

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54931 of 2024

Arising Out of PS. Case No.-254 Year-2022 Thana- BACHHWARA District- Begusarai

Dharmendra Ray Son of Krishndev Ray @ Bishundev Ray Resident of
Village - Chamtha, P.S.- Bachhwara, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Pampy Kumari, Adv. Mr. Mirityunjay Kumar, Adv.
For the Opposite Party/s	:	Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2024 Heard Ms. Pampy Kumari, learned counsel for the
petitioner and learned counsel for the State.

2. The petitioner is apprehending his arrest in connection with Bachhwara P.S. Case No. 254 of 2022 for the offence under sections 304(B), 201, 120(B) read with section 34 of the I.P.C. lodged on 04.10.2022 by the informant, Pana Devi.

3. As per the prosecution story, the informant alleged that her daughter was married to one Chandrabhushan Kumar but was tortured for dowry and later it came to notice that she has been killed and her body was thrown to the river Ganges. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is brother-in-law (*Bhaisur*), having no role to play in the matter, living separately. The last submission is that the husband is in



custody.

5. Learned APP opposes the prayer submitting that the body of the deceased has not been traced out.

6. Though allegation is there but the fact remains that the onus lies on the husband having solemnized the marriage, this petitioner is brother-in-law (*Bhaisur*), the husband is in custody and accordingly, anticipatory bail application stands allowed.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bachhwara P.S. Case No. 254 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to show his/her 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 his bail bonds.

(Rajiv Roy, J)

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