

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53767 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- RANIGANJ District- Araria

1. Kulanand Thakur Son Of Sundar Thakur Resident Of Village - Barhoua, P.S. - Raniganj, District - Araria
2. Mansuriya Devi Wife Of Kulanand Thakur Resident Of Village - Barhoua, P.S. - Raniganj, District - Araria
3. Mukesh Thakur Son Of Kulanand Thakur Resident Of Village - Barhoua, P.S. - Raniganj, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-12-2024 Heard Mr. Mrigendra Kumar, learned counsel for the petitioners and Mr. Vinod Shanker Modi, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Raniganj P.S. Case No. 124 of 2024, F.I.R. dated 31.03.2024 registered for the offences punishable under Sections 302, 304(B) and 120(B) of the Indian Penal Code.

3. Allegation against the petitioners is that they along with co-accused persons have committed the murder of the deceased by pushing neck.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that from



perusal of the F.I.R. it appears that there is no demand of dowry in the F.I.R. and hence no case is made out under Section 304(B) of the Indian Penal Code and apart from that it appears from the F.I.R. itself that the deceased has been living with her family members and one Ankit Kumar who is brother-in-law of the deceased may kill her and in the entire F.I.R. there is no allegation against the petitioners. He further submits that petitioner no. 1 is father-in-law, petitioner no. 2 is mother-in-law and petitioner no. 3 is brother-in-law of the deceased.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and petitioners are in-laws of the deceased as well as there is no allegation against them, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Araria in connection with Raniganj P.S. Case No. 124 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other following conditions :-

(1) 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

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(Rajesh Kumar Verma, J)

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