

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54408 of 2024

Arising Out of PS. Case No.-284 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Indrajeet Kumar S/o Late Munilal Mandal R/o Village Nawagadhi, PS Naya Ramnagar, District Munger
 2. Rekha Devi W/o Late Munilal Mandal R/o Village Nawagadhi, PS Naya Ramnagar, District Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prashant Sinha, Advocate Mr. Rishi Raj Raman, Advocate
For the State	:	Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2024 Heard Mr. Prashant Sinha learned counsel for the petitioner and Mr. Satyendra Prasad learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Sahebpur Kamal P.S. Case No. 284 of 2023 for the offence under Sections 304-B, 302 and 34 of the Indian Penal Code and section 3 and 4 of the Dowry Prohibition Act lodged on 24.10.2023 by the informant, Hema Devi.

3. As per the prosecution story, the informant



alleged that the daughter was married to Vishwajeet Kumar and was tortured for dowry and on 23.11.2023 he came to the informant's place took her daughter and on the pretext of taking the daughter to his home stopped at the Munger bridge to take selfie and in the process, she was pushed of the bridge and the lady died of drowning. Accordingly, the F.I.R.

4. Learned counsel for the petitioners submit that immediately thereafter, the husband was arrested, the trial went on and the witnesses later deposed that there was no role of the husband. This led to acquittal of the husband by the learned Additional District and Sessions Judge XI, Begusarai on 12.03.2024.

5. He submits that even otherwise, the F.I.R. was direct against the husband who now stands acquitted, only because they are mother-in-law and brother-in-law of the victim, stands implicated.

6. Learned APP opposes the prayer submitting that they took time in coming to the Court.

7. Though there is delay on the part of the petitioners, the fact remains that the allegation was mainly



against the husband, he was put on trial and now stands acquitted, in that background, it would be appropriate that petitioners are also extended the relief, his Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioners 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) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Begusarai, in connection with Sahebpur Kamal P.S. Case No. 284 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor 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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