

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56453 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- RAGHOPUR District- Vaishali

1.

Nawal Rai S/o Late Loli Rai R/o vill - Naurasiya, P.S. - Raghopur (Rustampur O.P), Distt. - Vaishali
2.

Manorama Devi W/o Sri Nawal Rai R/o vill - Naurasiya, P.S. - Raghopur (Rustampur O.P), Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Chaudhary, Sr. Advocate
For the State	:	Ms. Rina Sinha, APP
For the Informant	:	Mr. Keshav Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

325-09-2024

Heard Mr. Ashok Kumar Chaudhary, learned senior counsel for the petitioners, Mr. Keshav Kumar, learned counsel appearing on behalf of the informant as well as Ms. Rina Sinha, learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who are in custody since 13.03.2024 in connection with Raghopur P.S. Case No. 55 of 2024, F.I.R. dated 14.03.2024 for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners are murdered the sister 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 brother-in-law and sister-in-law of the deceased. He further submits that from perusal of the F.I.R it appears 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. In fact, the petitioners are residing at a distance of about 3 km from the house of the deceased and they are not living with the deceased. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 13.03.2024.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and apart from that it has come during investigation that the petitioners are actively involved in the present crime in question.

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 Judicial Magistrate 1st Class, Vaishali at Hajipur in



connection with Raghopur P.S. Case No. 55 of 2024, 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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