

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60526 of 2024

Arising Out of PS. Case No.-335 Year-2023 Thana- SILAO District- Nalanda

-
1. Geeta Devi W/o Gore Lal Yadav R/o Village- Jinda Bigha, Ps- Silao, District- Nalanda
 2. Chand Kumar S/o Gore Lal Yadav R/o Village- Jinda Bigha, Ps- Silao, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-09-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Silao P.S. Case No. 335 of 2023 for the offence registered under sections 304(B) and 34 of the IPC lodged on 30.11.2023 by the informant Surendra Yadav.

3. As per the prosecution story, the informant alleged that the lady/daughter/informant was married to Suraj Kumar but was tortured for dowry and later they were informed that she has been killed. Accordingly, the FIR.

4. Learned Counsel for the petitioners submit that as per the post-mortem report, the reason of death was asphyxia



due to hanging and in that background, the husband was chargesheeted while the petitioners who are mother-in-law and brother-in-law were not sent up, later cognizance has been taken necessitating this petitioner. The further submission is that the husband who was in judicial custody has been granted relief by the learned Additional Sessions Judge-I, Nalanda on 15.06.2024 (Annexure-4 to the petition).

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that within a year of marriage, she was killed.

6. Considering the submissions put forward by the parties as also the fact that the reason of death is asphyxia due to hanging. The husband has been released on bail, these petitioners are mother-in-law and brother-in-law having no criminal antecedent, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court of Judicial Magistrate (1st Class), Nalanda at Biharsharif in



connection with Silao P.S. Case No. 335 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *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 his bail bond by the Trial court itself;

(iii) 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;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

