

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63673 of 2024

Arising Out of PS. Case No.-460 Year-2023 Thana- BAHERA District- Darbhanga

1. Pradeep Kumar Deo @ Pradip Lal Dev @ Pradeep Lal Deo S/o Late Jivachh Lal Dev @ Jivachh Lal Deo R/o Village-Ufardaha, Police Station - Bahera, District-Darbhangha
2. Azad Kumar Deo @ Azad Lal Dev @ Azad Lal Deo S/o Pradeep Kumar Deo @ Pradip Lal Dev @ Pradeep Lal Deo R/o Village-Ufardaha, Police Station - Bahera, District-Darbhangha
3. Abha Devi @ Asha Devi W/o Pradeep Kumar Deo @ Pradip Lal Dev @ Pradeep Lal Deo R/o Village-Ufardaha, Police Station - Bahera, District-Darbhangha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-09-2024 Heard Mr. Ashok Kumar Prasad, learned counsel for the petitioners and Mr. Awadhesh Kumar Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bahera P.S. Case No. 460 of 2023, G.R. No. 412 of 2023, F.I.R. dated 17.12.2023 registered for the offences punishable under Sections 306/34 of the Indian Penal Code.

3. Allegation against the petitioners is of demand of dowry for the marriage of his son.

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 the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. and the petitioners are close relatives of co-accused Vivek Kumar Deo and the family members of Vivek Kumar Deo demanded dowry for solemnizing the marriage of the daughter of the informant with Vivek Kumar Deo and when the matter was settled then the daughter of the informant has committed suicide. Learned counsel for the petitioners further submits that from perusal of the F.I.R. it appears that there is no role of the petitioners in the present occurrence and the main accused is Vivek Kumar Deo. He further submits that co-accused Bipul Kumar @ Vipul Lal Dev @ Vipul Lal Deo @ Vipul Lal Devi who happens to be the father of co-accused Vivek Kumar Deo has been granted the privilege of anticipatory bail by this Court vide order dated 03.07.2024 passed in Cr. Misc. No. 41126 of 2024.

5. Learned APP for the State, on the other hand, 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 similarly situated co-accused person has been granted the privilege of anticipatory bail by this Court, 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 Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P.S. Case No. 460 of 2023, 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.

(Rajesh Kumar Verma, J)

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