

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66650 of 2023

Arising Out of PS. Case No.-213 Year-2023 Thana- AMAS District- Gaya

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1. Surendra Singh @ Surendra Kumar Singh S/O Late Paryag Singh Resident Of Village-Wajidpur, P.S.-Amas, District-Gaya
 2. Sadhna Singh @ Sadhana Devi W/O Surendra Singh @ Surendra Kumar Singh Resident Of Village-Wajidpur, P.S.-Amas, District-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
	:	Mr. Bhaskar Shankar, Advocate
For the Informant	:	Mr. Jitendra Kumar Giri, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-03-2024 Heard Mr. Krishna Prasad Singh, learned senior counsel for the petitioners, Mr. Jitendra Kumar Giri, learned counsel for the informant and Mr. Uma Shankar Prasad Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Amas P.S. Case No. 213 of 2023, F.I.R. dated 17.06.2023 for the offences punishable under Sections 304(B), 201 and 120(B) of the Indian Penal Code.

3. According to prosecution case, allegation against the petitioners and other co-accused persons are of committing torture upon the victim due to non-fulfillment of the demand of dowry due to which she has committed suicide.

4. Learned senior 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 petitioners are in laws of the deceased. He further submits that that it has come during investigation that the deceased had committed suicide herself and family members of the petitioners also informed the family members of the deceased but they had not responded then the family members of the petitioners cremated of the dead body of the deceased. He further submits that husband of the deceased, namely, Sanjeev Singh, is in judicial custody since 02.08.2023.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioners and submits that from a bare perusal of the FIR it appears that the accused persons have disposed of the dead body of the deceased.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of 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 bonds 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, Sherghati, Gaya in connection with Amas P.S. Case No. 213 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper 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 bonds 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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