

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77930 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- MANJHAGARH District- Gopalganj

SURESH CHAUHAN @ SURESH RAI @ SURESH KUMAR SHARMA
Son of Sivnandan Sharma Resident of village - Dewapur Akil Tola, P.S. -
Manjhagarh, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Thakur Brajesh Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 26-04-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Manjhagarh P.S. Case No. 26 of 2023 for the offence under Sections 304(b), 201/34 of the I.P.C. lodged on 02.02.2023 by the informant, Sunita Devi.

3. As per the prosecution story, the allegation is that the informant's daughter was married to Rahul Chauhan, but was always tortured for dowry and on the fateful day (02.02.2023), she was killed. Accordingly the FIR.

4. Learned counsel for the petitioner submits that the petitioner is the father-in-law of the deceased, living separately from the couple and have been implicated only because he being the member of the family.



5. Learned APP opposes the prayer stating that he is the father-in-law.

6. Taking into account the aforesaid submission put forward by the parties as also that he is the father-in-law, do not have any criminal antecedent, FIR lodged and will ultimately be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner 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 Chief Judicial Magistrate in connection with Manjhagarh P.S. Case No. 26 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member 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.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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