

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82094 of 2024

Arising Out of PS. Case No.-131 Year-2023 Thana- SHEOHAR District- Sheohar

Nathuni Ray S/o- Late Vasdeo Ray Village- Sheohar W.No-20, Ps- Sheohar
Distric-Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the State : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Sheohar P.S. Case No. 131 of 2023 for the offences punishable under Sections 302, 304(B) and 34 of the Indian Penal Code, lodged on 11.06.2023 by the informant, Mohini Devi.

3. As per the prosecution story, the informant alleged that the lady was married to Santosh Ray but was tortured for dowry and the allegation is that she was killed by strangulating her neck, this led to the F.I.R.

4. Learned counsel for the petitioner submits that he being the father-in-law living separately, having no role to play in the matter, has already suffered by being in custody since 09.10.2023 (paragraph no.7 of the petition) and further, the



husband is in custody since 13.06.2023.

5. Learned APP for the State opposes the prayer submitting that allegation against all the accused persons is/are of killing the lady who was married to Santosh Ray.

6. Taking into account the submissions put forward by the parties as also the fact that the husband is in custody immediately after the date of occurrence, the petitioner is an aged person, he has already suffered by being in custody since 09.10.2023 and has no criminal antecedent, will ultimately face the Trial, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 131 of 2023, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court 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 now 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 bail bonds.

(Rajiv Roy, J)

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