

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81019 of 2023

Arising Out of PS. Case No.-384 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Parma Bind S/O Late Ramdev Singh @ Ramdev Bind Village- Sarai, P.S. Mohania, Dist. Kaimur At Bhabua
2. Mulendra Bind S/O Parma Bind Village- Sarai, P.S. Mohania, Dist. Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2024 Heard Mr. Parwej Khan, learned counsel for the petitioners and Mr. Madhura Nand Jha, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Mohania P.S. Case No. 384 of 2023, F.I.R. dated 10.06.2023 registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

3. Allegation against the petitioners is of committing torture and caused death of the victim due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely



implicated in the present case merely on the ground that the petitioners are in-laws of the deceased. He further submits that the petitioner no. 1 is father-in-law of the deceased and petitioner no. 2 is the brother-in-law of the deceased the husband of the deceased is already in judicial custody since 19.09.2023. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation against the accused persons including the petitioners.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, 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, Mohania, Kaimur at Bhabua in connection with Mohania P.S. Case No. 384 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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