

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4802 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- FULKAHA District- Araria

Prakash Choudhary S/O VASUDEV CHOUDHARY VILLAGE- BHANGHI,
WARD NO. 10, POLICE STATION- PS. FULKAHA, DIST. ARARIA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Priyadarshi, Advocate Mr. Dheeraj Kumar, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-02-2024 Heard Mr. Rabindra Kumar Priyadarshi, learned
counsel for the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Fulkaha P.S. Case No. 81 of 2023 for the offence under section 302/34 of the I.P.C. lodged on 06.07.2023 by the informant, Bhagwati Devi.

3. As per the prosecution story, the petitioner's son, Sunil Kumar Chaudhary was married to Jyoti Kumari and the allegation in the FIR is that she was tortured for dowry and ultimately, her death occurred. When the informant side reached the spot, her dead body was present with mark on the neck. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is



the father-in-law, living away from the family, nothing to do with the couple and in any case, the husband Sunil Kumar Chaudhary is in custody since 04.10.2023 (as stated in paragraph 9 of the petition).

5. Learned APP, Mr. Jitendra Kumar Singh submits that he being the father-in-law, his role cannot be ignored.

6. Taking into account the submissions put forward by the parties as also the fact that the husband is in custody, the petitioner is an aged person and do not have criminal antecedent, 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 Judicial Magistrate, 1st Class, Araria, in connection with Fulkaha P.S. Case No. 81 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.

(Rajiv Roy, J)

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