

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL REVISION No.5 of 2024**

Arising Out of PS. Case No.-359 Year-2022 Thana- HASPURA District- Aurangabad

Arshad Mansuri @ Alishad Mansuri Son Of Gulam Rasul Mansuri @ Rasul Mansuri Resident Of Village - Gulariyabagh (GAWASPUR), P.S. - Haspura, District - Aurangabad (BIHAR) Under The Guardianship Of His Father Gulam Rasul Mansuri @ Rasul Mansuri

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Jawed Ali Son Of Md. Khalil Mansuri Resident Of Village - Auranwa, P.S. - Rafiganj, District - Aurangabad

... .. Respondent/s

**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Smt. Meena Singh, Advocate    |
|                      |   | Mr. Bhaskar Shankar, Advocate |
| For the Respondent/s | : | Mr. Shantanu Kumar, APP       |

**CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI**  
**ORAL ORDER**

2      05-03-2024                      1. Haspura P. S. Case No. 359 of 2022 was registered against the husband, mother-in-law, sister-in-law and brother-in-law of the deceased under Section 304B/34 of the Indian Penal Code. The F.I.R. was instituted by the brother of the deceased.

2. It is alleged in the F.I.R. that on 4<sup>th</sup> of December, 2022, he came to the matrimonial home of the deceased and found that the dead body of the deceased was lying on a cot outside the room of the house and blood was oozing from her nostrils and there was a cut mark on her lip.

3. The petitioner was aged about 13 years on the date of commission of offence. He is the brother-in-law of the



deceased.

4. It is submitted by the learned Advocate for the petitioner that the mother-in-law and sister-in-law of the deceased were granted bail from the regular Court. Since the petitioner was a minor, he was produced before the Juvenile Justice Board where his prayer for bail was rejected. The prayer for bail being rejected by the JJB, the petitioner preferred an appeal. The Appellate Court dismissed the appeal affirming the order of rejection of the petitioner.

5. I have carefully perused the F.I.R. There is an omnibus allegation that all the matrimonial relations of the deceased used to demand dowry from the deceased and on her failure to satisfy such dowry, she was assaulted, and, subsequently, she had met with unnatural death on the night of 3<sup>rd</sup> of December, 2022. There is no allegation made specifically against the petitioner. Petitioner had no criminal antecedents. He used to maintain normal life of a boy in his family, and in the society also, there was no adverse report against the petitioner.

6. Accordingly, this Court is of the view that the petitioner should be enlarged on bail.

7. For the reasons stated above, the impugned order passed in Cr. Appeal No. 43 of 2023 is quashed and set aside.



8. The petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Aurangabad in connection with Haspura P. S. Case No. 359 of 2022 with condition that one of the sureties shall be his parent, who will undertake that, in future, he will not allow the CICL to be exposed to social, moral and psychological danger and restrict him from being associated with the criminals.

8. The revisional application is thus allowed.

**(Bibek Chaudhuri, J)**

skm/-

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