

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29 of 2024

Arising Out of PS. Case No.-286 Year-2023 Thana- PAROO District- Muzaffarpur

1. Bhairav Sah son Late Ramchandra Sah R/o vill-Kamalpura PS-Paroo Dist-Muzaffarpur
2. Anita Devi Wife of Bhairav Sah R/o vill-Kamalpura PS-Paroo Dist-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-01-2024

Heard the parties.

2. The petitioners are apprehending arrest in connection with Paroo P.S. Case No. 286 of 2023 instituted under under Section 304(B)/201/34 of the Indian Penal Code lodged on 5.7.2023 by the informant, Upendra Sah.

3. As per the prosecution story, the informant, has alleged that his daughter Neha Kumari was married to Manjay Kumar but always tortured for dowry and on 4.7.2023, they got information that she was killed. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that the petitioners are aged father-in-law and mother-in-law, living separately and further, the husband is in judicial custody.



5. Learned APP opposes the prayer for bail.

6. Taking into account submission put forward by the parties as also that they are family members, husband if in jail, FIR was lodged and ultimately they will have to face the trial, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court 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 the like amount each in connection with Paroo P.S. Case No. 286 of 2023 to the satisfaction of learned Judicial Magistrate, First Class, West, Muzaffarpur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

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

(ii) the petitioners 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 their bail bond by the Trial Court itself;



(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners 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;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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