

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48437 of 2025

Arising Out of PS. Case No.-147 Year-2020 Thana- JANTA BAZAR District- Saran

1. Vikash Kumar son of Ashok Mahto Village- Mirjapur, Ps- Janta Bazar, Dist- Saran
2. Akash Kumar son of Ashok Mahto Village- Mirjapur, Ps- Janta Bazar, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr. Harsh Anuj, learned counsel for the

petitioners and Mr. Ram Bilash Roy Raman, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Janta Bazar P.S. Case No. 147 of 2020, F.I.R. dated 31.08.2020 for the offences punishable under Sections 304(B), 201, 34 of the Indian Penal Code.

3. According to prosecution case, the informant suspects that the petitioners along with others have killed his daughter due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on the basis that petitioners



are brothers-in-law of the deceased. Although the petitioners are named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act of demand of dowry against them rather the allegation against them are general and omnibus allegations and husband of the deceased has been granted Regular Bail by the learned Court below and similarly situated co-accused persons, namely, Shubhanti Devi @ Sidhanti Devi and Khushbu Kumari have been granted the privilege of anticipatory bail by co-ordinate Bench of this Court vide order dated 19.03.2024 in Cr. Misc. No. 69586 of 2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and there is no specific allegation against them in the FIR and similarly situated co-accused persons have been granted the privilege of anticipatory bail by co-ordinate Bench of this Court, let the petitioners, above named, in the event of 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate I, Saran at Chapra in connection with Janta Bazar P.S. Case No. 147 of 2020, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. 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 bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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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