

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54487 of 2024

Arising Out of PS. Case No.-756 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Anand Kumar @ Anand Chatiya SON OF BISHESHER CHATIYA Vill
-Uttary Dhamaun PS -Shahpur Patory Distt -Smastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Prasad Roy, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 17-01-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Shahpur Patory P.S. Case No. 756 of 2023 for the offences punishable under Sections 302, 201/34 of the IPC lodged on 15.12.2023 by the informant, Vishundev Rai.

3. As per the prosecution story, the informant alleged that his daughter namely Dipa Kumari, was married to Ravikant Chatiya, in the year 2015, wherein several articles were gifted. The couple was blessed with three children. Further, allegation is that post-marriage, his daughter was leading a happy conjugal life, however, after some time her in-laws started demanding a motorcycle as further dowry and she was subjected to torture on regular basis. It is further alleged that on 11.12.2023, his daughter informed him that she is being tortured, and on 12.12.2023, he was informed that his daughter has been killed



by all accused persons and her body has been disposed. Lastly, the informant states that he strongly believes foul play. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is distantly related to the husband, after having come to know that his wife is no more, as per the tradition attended the last rites, got implicated. Further, it is the submission that he is in custody since 22.04.2024 having no criminal antecedent and though not incorporated, the categorical submission is that the husband, namely, Ravikant Chatiya is in custody since 21.04.2024.

5. Learned APP opposes the prayer submitting that there is allegation of dowry death as also consigning the mortal remains to the flames and the petitioner is also one of them.

6. Considering the submissions put forward by the parties as also the fact that he is distantly related, the husband is in custody as per information given by him, has remained in custody since 21.04.2024 having no criminal antecedent, this Court is inclined to extend him the privilege of bail. If however, it is found that his statement regarding the husband being in judicial custody is incorrect, the order shall become infructuous.

7. Let the petitioner, above named, be released on



bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class- Samastipur in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to show his 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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