

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63703 of 2024

Arising Out of PS. Case No.-316 Year-2024 Thana- BIHAR District- Nalanda

1. Parmeshwari Devi @ Parmeshri Devi W/o Damodar Raut @ Damodar Prasad
 2. Damodar Raut @ Damodar Prasad S/o Rameshwar Raut
 3. Chandan Raut @ Chandan Kumar S/o Damodar Raut @ Damodar Prasad
 4. Nibha Devi W/o Chandan Raut @ Chandan Kumar.
- All are R/o Village- Budha Nagar, Mali Tola, P.S.- Islampur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Verma, Advocate
For the Opposite Party/s : Ms.Rita Verma, APP
For the Informant : Mr. Akshay Lal Pandit, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 21-04-2025 Heard Mr.Suman Kumar Verma, learned counsel for the petitioners, Mr. Akshay Lal Pandit, learned counsel for the informant and Ms.Rita Verma, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bihar P.S. Case No.316 of 2024, corresponding to G.R.No.1787/2024, dated 23.04.2024 registered for the offences punishable under Section 304(B)/34 of IPC.

3. Allegation against the petitioners is that they alongwith other co-accused persons have in furtherance of their



common intention committed the dowry death of the daughter of the informant.

4. Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case merely on the ground that the petitioners are inlaws of the deceased. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. It appears from the FIR itself that the informant is not the eye witness of the alleged occurrence and he has filed the present FIR merely on the basis of suspicion and from a bare perusal of the FIR it appears that there is no specific allegation of any assault, overt-act or demand of dowry attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners and husband of the deceased, namely, Karu Kumar @ Kundan Kumar has surrendered before the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif on 19.04.2025 and now he is in judicial custody.

5. Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have



clean antecedent, there is no specific allegation against the petitioners and husband of the deceased, namely, Karu Kumar @ Kundan Kumar has surrendered before the learned Chief Judicial Magistrate, Nalanda at Biharsharif and he is in judicial custody since 19.04.2025, let the petitioners, above named, in the event of their 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 learned Chief Judicial Magistrate, Nalanda, Biharsharif in connection with Bihar P.S. Case No.316 of 2024, corresponding to G.R.No.1787/2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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 tamper 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 antecedents, 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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