

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69853 of 2024

Arising Out of PS. Case No.-914 Year-2023 Thana- BODHGAYA District- Gaya

1. Arvind Sharma @ Arvind Kumar S/o Reepusudan Singh R/o Village-Shivnagar, P.S.- Karpi, District- Arwal
2. Bineeta Kumari @ Baneeta Devi W/o Ranjeet Kumar R/o Mohalla-Bhaluahi Kharkhura, P.S.- Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-01-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Bodh-Gaya P.S. Case No. 914 of 2023 registered for the offences under sections 304B, 201 and 34 of the Indian Penal Code lodged on 11.12.2023 by the informant, Geeta Devi.

3. As per the prosecution story, the informant alleged that the victim lady was married in the year 2021 with Navneet Kumar (son of the petitioner) but was always tortured for dowry and later came to know about her killing by strangulation. Accordingly, the F.I.R.

4. Learned counsel for the petitioners submit that while petitioner no. 1 is the cousin father-in-law (maternal uncle



of the husband), the petitioner no. 2 is the sister of the husband, Nawneet Kumar. He further submits that a perusal of the FIR would show that omnibus allegation is against the accused persons, FIR is there, they shall be diligently appearing in trial and the last submission is that the husband is in custody since 12.12.2023.

5. Learned APP opposes the prayer submitting that allegation is there against both the petitioners.

6. Taking into account the submissions put forward by the parties as also that the two petitioners are maternal uncle and sister of the husband who is in custody, as categorical statement made by the learned counsel for the petitioner, FIR is there and both of them will be facing the trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of their arrest or surrender 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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodh-Gaya P.S. Case No. 914 of 2023 subject to the conditions as laid down under Section 438(2) of the



Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show their 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 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 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)

Adnan/-

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