

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80494 of 2024

Arising Out of PS. Case No.-781 Year-2024 Thana- BIHTA District- Patna

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1. Chandra Sekhar Rai Son of Late Wakil Rai Resident of Village- Moudhi also known as Molahi, P.S.- Bihta, District- Patna
 2. Lalita Devi @ Lalti Devi Wife of Chandra Sekhar Rai Resident of Village- Moudhi also known as Molahi, P.S.- Bihta, District- Patna
 3. Sailesh Rai @ Sailesh Kumar Son of Chandra Sekhar Rai Resident of Village- Moudhi also known as Molahi, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-04-2025 Heard Mr. Durgesh Nandan, learned counsel for the

petitioners and Mr. Ram Naresh Ray, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bihta P.S. Case No. 781 of 2024, F.I.R. dated 21.08.2024 for the offences punishable under Sections 108, 123, 238 and 3(5) of BNS, 2023.

3. According to prosecution case, informant's sister was frequently abused and tortured by the petitioners, which caused her to ingest poison and eventually pass away.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR itself that the informant himself stated in the FIR that the deceased herself committed suicide. Petitioner no.1 is the father-in-law, petitioner no.2 is the mother-in-law and petitioner no.3 is the brother in law of the deceased. The husband of the deceased namely Mukesh Rai is in judicial custody since 06.10.2024.

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

6. Considering the aforesaid facts and circumstances and the fact that petitioners have clean antecedent and it appears from the FIR itself that the victim herself committed suicide and husband of the deceased is in judicial custody since 06.10.2024, 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 ACJM I, Danapur in connection with Bihta P.S. Case No. 781 of 2024, 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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