

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 58655 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- KOTWA District- East Champaran

1. Sunil Das aged about 19 years (Male) Son of Rameshwar Das
 2. Raj Kumari Devi aged about 35 years, Wife of Rameshwar Das
 3. Babloo Das aged about 20 years, Son of Rameshwar Das
 4. Rameshwar Das aged about 40 years Son of Bhukhal Das
- All are resident of Village- Jamuniya (Jasauli), P.S.- Kotwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 25-11-2019 Heard learned counsel for the parties and perused the case diary.

The petitioners apprehend their arrest in Kotwa P.S. Case No. 68 of 2019 registered for the offence under Sections 304(B)/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case is that the sister of the informant Shobha Devi (deceased) was married with co-accused Akhilesh Das four years ago and few days after the marriage, on the demand of motorcycle, she was regularly subjected to torture by the co-accused Akhilesh Das and petitioners. It is further



alleged that due to non-fulfillment of demand of motorcycle, all the accused persons committed the murder of informant's sister by pressing her neck on 01-04-2019.

It is submitted on behalf of petitioners that petitioners are in-laws members of the deceased i.e. petitioner no. 1 & 3 are *Jaut* (sons of elder brother of husband of deceased), petitioner no. 2 is *Gotni* (wife of elder brother of husband of deceased) and petitioner no. 4 is *Bhaisur* (elder brother of husband of deceased). It is further submitted that petitioners are living separately and they have no concern with the affairs of the deceased. It is submitted that deceased was a lady of short temper and due to some scuffle between the deceased and her *naihar* people, she (deceased) committed suicide in her matrimonial house and died. It is further submitted that husband of the deceased is inside jail.

Considering the aforesaid facts and circumstances as well as nature of allegation, in the event of arrest or surrender within a period of six weeks from today, let the petitioners above named be enlarged 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, Motihari, East Champaran in connection with



Kotwa P.S. Case No. 68 of 2019 on the following conditions:

(1) Petitioners shall cooperate 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.

(2) 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.

(Prabhat Kumar Singh, J.)

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