

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1468 of 2020

Arising Out of PS. Case No.-47 Year-2019 Thana- KHIRHAR District- Madhubani

1. RAM DULARI DEVI Wife of Late Chandeshwar Sah Resident of Village - Hisar, P.S.- Khirhar, District- Madhubani
2. Indu Devi Wife of Kamal Sah Resident of Village - Hisar, P.S.- Khirhar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 302, 201/34 of the Indian Penal Code.

Prosecution case in short is that the marriage of the informant’s daughter was solemnized with Mithilesh Sao prior to 14 years of the alleged occurrence. Allegation against the accused persons (in-laws) and husband of the deceased



Sunayana Devi is of committing murder of informant's daughter along with her son, Avinash Kumar and daughter Nidhi Kumari for the purpose of solemnizing second marriage.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The alleged date of occurrence is 14-12-2018 but the FIR was instituted on 04-07-2019. The delay in instituting the FIR has not been explained by the prosecution. Prior to institution of the present case, a U.D. case was also instituted. petitioner Nos. 1 & 2 are mother-in-law and sister-in-law (*Gotani*) of the deceased respectively.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of Sri A. K. Tiwary, learned Judicial Magistrate-Ist Class, Madhubani in connection with Khirhar P.S. Case No. 47 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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