

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26667 of 2020

Arising Out of PS. Case No.-172 Year-2019 Thana- MAHISHI District- Saharsa

1. BISHUNDEO RAJAK S/o Late Tiro Rajak @ Siro Rajak Resident of Village-Baghour, P.S-Mahishi, District-Saharsa.
2. Rukmini Devi W/o Bishundeo Rajak Resident of Village-Baghour, P.S-Mahishi, District-Saharsa.
3. Bijay Rajak S/o Bishundeo Rajak Resident of Village-Baghour, P.S-Mahishi, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-10-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard both parties.

The petitioners seek bail in Mahishi P.S. Case No. 172 of 2019, registered for the offence punishable under Sections 304(B), 302, 201 and 34 of the Indian Penal Code.

As per prosecution case, informant's daughter was married with Ajay Rajak five years ago. After marriage her husband and in-laws started demanding dowry and also subjected her to torture. Due to non-fulfillment of demand of



dowry, petitioners along with her husband and 5 to 6 unknown persons killed his daughter and thrown her dead body in the river.

It is submitted on behalf of the petitioners that petitioners have falsely been implicated in this case. Petitioner no. 1 is father-in-law, petitioner no. 2 is mother-in-law and petitioner no. 3 is Bhaisur of the deceased. There is general and omnibus allegation against them. Petitioners are living separately and have no concern with the family affairs of deceased and her husband. Petitioner no. 3 is in custody since 8.11.2019 and petitioner no. 1 and 2 are in custody since 17.01.2020.

Considering the facts and circumstances of the case, the petitioners above-named, are directed to 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 the learned Sub-Divisional Judicial Magistrate, Saharsa in connection with Mahishi P.S. Case No. 172 of 2019, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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