

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 4023 of 2020

Arising Out of PS. Case No.-128 Year-2019 Thana- MAHARAJGANJ District- Siwan

1. Sunaina Kunwar, aged about 60 years (female), Wife of Late Dhruv Singh
2. Sonam Kumari, aged about 19 years (female), D/o Late Dhruv Singh
Both resident of Village - Sarai Padauli, P.S.- Bhagwanpur, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 22-01-2020 Heard learned counsel for the parties.

Two petitioners seek bail in Maharajganj P.S. Case No. 128 of 2019 registered for the offence under Sections 304(B), 201, 34 of the Indian Penal Code.

The prosecution case is that daughter of the informant namely Kajal Kumari was enticed by one Ranjan Kumar Singh, petitioner and four other persons for the purpose of marriage with Ranjan Kumar Singh and thereafter, she got married with Ranjan Kumar Singh. Later on they started demanding dowry and due to non-fulfillment of demand of dowry, daughter of the informant was killed and her dead-body was disposed. It is alleged that petitioners were neighbour of the informant and husband of informant's daughter always used to come there.



It was submitted on behalf of petitioners that petitioners have falsely been implicated in this case due to village politics. Petitioners are only neighbours of the informant and also happens to be distant *pattidar* and due to that, they have been implicated in this case. It was further submitted that informant had earlier also filed an F.I.R., vide Maharajganj P.S. Case No. 237 of 2018, under Sections 366/34 of the Indian Penal Code against Ranjan Kumar Singh and petitioner no. 2 (Sonam Kumari) and in that case, the deceased Kajal Kumari *suo motu* appeared before the court below and her statement was recorded on 17-11-2018 under Section 164 of the Cr.P.C., in which, she admitted that she had voluntarily gone with Ranjan Kumar Singh and she solemnised marriage in temple and she wanted to live with him (Annexure 2/A to the petition). Lastly, it was submitted on behalf of petitioners that petitioners are lady, having no concern either with the informant or accused Ranjan Kumar Singh and are in custody since 18-09-2019, having clean antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioners 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 Addl. Sessions Judge 1st cum Special Judge, Siwan in connection with Maharajganj P.S. Case No. 128 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-bonds 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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