

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12245 of 2021

Arising Out of PS. Case No.-107 Year-2015 Thana- MURLIGANJ District- Madhepura

1. KAMESHWAR RAY Son of Late Khusilal Ray Resident of Village - Pakilpar, Ward No.4, P.S.- Murliganj, Distt.- Madhepura.
2. BIJALI DEVI W/o Kameshwar Ray Resident of Village - Pakilpar, Ward No.4, P.S.- Murliganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 498A/304B34/120B of the Indian Penal Code and under sections 3/4 of the Dowry Prohibition Act .

As per the prosecution case, informant's daughter was married to the petitioners' son in February, 2015. Soon thereafter petitioners and other family members started subjecting her to cruelty and harassment for dowry and due to non-fulfilment of demand of dowry, this petitioner along with other accused persons killed the daughter of the informant.

Learned counsel for the petitioners submits that the petitioners happen to be father-in-law and mother-in-law of the



deceased. There is general and omnibus allegation against them. Petitioners live separately and are no way concerned with the affairs of the victim and her husband. Petitioners is in custody since 25.8.2020. Husband of the victim is already in the custody.

Learned counsel for the State opposes the prayer for bail and submits that as per allegation, petitioner in league with his family members killed the informant's daughter in a planned conspiracy.

Considering the rival submissions of the parties, materials available on the record and the fact that there is general and omnibus allegation against the petitioners and they are in custody for more nearly a year, let the petitioners, mentioned above, 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 Chief Judicial Magistrate, Madhepura in Murliganj Police Station Case No. 107 of 2015 on the following conditions:-

(1) 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.

(2) 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.

(Prabhat Kumar Singh, J)

shashi/-

U		T	
---	--	---	--

