

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20144 of 2021

Arising Out of PS. Case No.-117 Year-2020 Thana- ROSHANGANJ District- Gaya

1. Jitendra Mallah @ Jitendara Kumar aged about 24 years S/o- Shivnarayan Mallah @ Shivnarayan Chaudhary Resident of Village- Baida Saida, P.S.- Raushanganj, District- Gaya.
2. Munawa Devi aged about 55 years W/o- Shivnarayan Mallah @ Shivnarayan Chaudhary Resident of Village- Baida Saida, P.S.- Raushanganj, District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-07-2021 Heard learned counsel for the petitioners and the State.

The petitioners pray for grant of regular bail in a case registered for the offence punishable under sections 304B/201/34 of the Indian Penal Code.

As per the prosecution case, petitioners and their family members subjected the informant's daughter to cruelty and harassment for non-fulfilment of dowry demand and finally they killed her and secretly disposed of the dead body.

Learned counsel for the petitioners submits that the petitioners happens to be brother-in-law and mother-in-law of the deceased. There is general and omnibus allegation against



these petitioners and they are living separately. Petitioners are in custody since 18.9.2020. Charge sheet has already been submitted.

Learned counsel for the State opposes the prayer for bail and submits that as per allegation, petitioners in league with other 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 them, let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Sherghati, Gaya in Raushanganj Police Station Case No. 117 of 2020 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 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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