

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4522 of 2021

Arising Out of PS. Case No.-208 Year-2018 Thana- LALGANJ District- Vaishali

1. MANJU DEVI W/o Mohan Chaudhary Resident of Village - Purkhauli, P.S.- Lalganj, Distt.- Vaishali.
2. Arjun Chaudhary Son of Mohan Chaudhary Resident of Village - Purkhauli, P.S.- Lalganj, Distt.- Vaishali.
3. Rohit Kumar @ Sakuni Kumar Son of Mohan Chaudhary Resident of Village - Purkhauli, P.S.- Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Lalganj P.S. Case No. 208 of 2018 registered for the offence punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

The allegation is regarding the accused persons having assaulted the victim lady on account of non-fulfillment of the demand for dowry resulting in her death in the nursing home.

The learned counsel for the petitioners has submitted that the petitioner no. 1 is the mother-in-law of the deceased victim lady and the petitioners no. 2 and 3 are brother-in-laws of the deceased



victim lady. It is submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. It is also submitted that the husband of the deceased victim lady, who is the main accused, is behind bars. Lastly, it is submitted that a general and omnibus allegation has been levelled against the petitioners and the fact is that the deceased victim lady was admitted in a nursing home, was recuperating from her illness but she died and in fact, her family members were having the knowledge about the same.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that the husband of the deceased victim lady is behind bars and the petitioner no. 1 is the mother-in-law while the petitioners no. 2 and 3 are the brother-in-laws of



the deceased victim lady and a general and omnibus allegation has been levelled against them, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IXth, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 208 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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