

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1993 of 2022

Arising Out of PS. Case No.-182 Year-2021 Thana- JOGAPATTI District- West Champaran

1. Manju Devi W/O Sanjay Pandit
2. Sheo Devi @ Shiv Devi W/O Wakil Pandit
Both Resident Of Village- Golaghat Dumari, P.S.- Yogapatti, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv

For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 304B/201/34 of the Indian Penal Code.

The prosecution case, in short, is that on 04.05.2021 the informant's son-in-law gave him telephonic information that the deceased had been died by coming into contact with electric current. Upon hearing this, the informant alongwith his family members went to the place of occurrence. The informant



came to know and he believed that his son-in-law Ajay Pandit, Manju Devi and Sheo Devi have killed the deceased by bringing her into the contact with electric current and her dead body was disposed off.

Learned counsel appearing for the petitioners submits that petitioners have clean antecedent. They have falsely been implicated in the present case only on the basis of suspicion. He further submits that in fact the petitioner No.1 is sister-in-law and petitioner No.2 is mother-in-law of the deceased. He further submits that there is general and omnibus allegation against all the accused persons including the petitioners. There is no specific allegation of any overt-act or the demand of dowry against the petitioners and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 05.05.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail **after surrender of the husband of the deceased before the learned court below** on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Court below where the case is pending in connection with Yogapatti Police Station Case No.182 of 2021, with 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 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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