

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12019 of 2022

Arising Out of PS. Case No.-456 Year-2021 Thana- JOGAPATTI District- West Champaran

1. Jaggu Bhar @ Jagu Bhar, Son Of Kodai Rai Resident Of Village And P.S.- Nawalpur, District- West Champaran.
2. Chandan Kumar, Son Of Kodai Rai Resident Of Village And P.S.- Nawalpur, District- West Champaran.
3. Dudhiya Devi @ Badhiya Devi, Wife Of Kodai Rai Resident Of Village And P.S.- Nawalpur, District- West Champaran.
4. Suraj Devi, Wife Jaggu Bhar @ Jagu Bhar Resident Of Village And P.S.- Nawalpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Sections
304(B), 201, 120(B)/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and petitioner
no.1 is elder brother-in-law of the deceased, petitioner no.2 is
younger brother of the deceased, petitioner no.3 is mother-in-
law of the deceased and petitioner no.4 is sister-in-law of the



deceased and the informant alleges that her daughter was married with Jiut Rai in the Year 2015 and out of the wedlock, one child was born. It is next alleged that on 19.10.2021, all the accused persons including the petitioners killed her daughter for non-fulfilment of dowry demand. It is further alleged that on 21.10.2021, the informant through police received information that her daughter has been killed. Accordingly, she along with her co-villagers went to the house of the accused persons where she was abused and assaulted.

The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the marriage was solemnized in the Year 2015 and out of the wedlock, a child was born and in between 2015, till filing of the present F.I.R., no case came to be instituted which amply demonstrates that the relationship between the deceased and the petitioners were not strained. It is next submitted that even presuming what has been alleged is true without admitting for the purposes of anticipatory bail, then also the allegations against the petitioners are general and omnibus in nature and informant is not an eye witness to the occurrence. It is also submitted that it is entire responsibility of the husband to ensure well-being of his wife and petitioners being family members



have been falsely roped them without any specific allegation. It is also submitted that the husband of the deceased has already filed an application before this Court seeking anticipatory bail and the same is under process of stamp reporting.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Yogapatti (Nawalpur) P. S. Case No.456 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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