

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14105 of 2022

Arising Out of PS. Case No.-497 Year-2021 Thana- GHOSI District- Jehanabad

Padarath Bind @ Manmohan Bind Son Of Late Laldas Bind Resident Of
Village- Anantpur, Police Station- Ghosi (OKARI) In The District Of
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 32723 of 2022

Arising Out of PS. Case No.-497 Year-2021 Thana- GHOSI District- Jehanabad

Puniya Devi W/O Om Prakash Bind , D/O Padarath Bind @ Manmohan Bind
Resident Of Village - Anantpur, P.S.- Ghoshi (okari) In The Distt Of
Jehanabad. At Present Resident Of Village - Mungila, P.s.- Khirimore in the
distr. of Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14105 of 2022)

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Umanath Mishra

(In CRIMINAL MISCELLANEOUS No. 32723 of 2022)

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 27-09-2022 With consent of the learned counsel appearing on

behalf of the petitioners as well as State, both the matters are

being heard together and disposed of by this common order.

Let the defects, if any, be removed within four

weeks from today.



Petitioners seek bail in a case registered in connection with Ghosi (Okari) P.S. Case No. 497 of 2021 for the offences punishable under Sections 304B, 201/34 of the Indian Penal Code.

The prosecution case is based on a written report alleging therein that the marriage of the niece of the informant was solemnized with Prahlad Bind in the year 2019. Soon after marriage she was subjected to torture and harassment on account of non fulfillment of dowry of Rs. 50,000/- it is further alleged that on 16.11.2021 all the accused persons by hatching conspiracy killed the niece of the informant and when the informant after getting the information reached to her matrimonial home the accused persons fled away.

Learned counsel for the petitioners submits that so far as the petitioner in Cr. Misc. No.14105 of 2022 is concerned, he happens to be father-in-law whereas the petitioner in Cr. Misc. No. 32723 of 2022 is sister-in-law of the deceased. He next submits that no specific allegation has been levelled against the petitioners rather the general and omnibus allegation has been levelled against all the



family members including the husband, who is now in the judicial custody. He further submits that in fact both the petitioners being father-in-law and sister -in -law of the deceased are residing separately from the deceased and they have no concern with the family affairs of the deceased and her husband. He next submits that the deceased was ill for some times and her treatment was going on and it appears that on account of some trifling issues, she herself committed suicide. While concluding his submission, he lastly submits that both the petitioners are in custody since 21.11.2021 and 29.03.2022 respectively and moreover, the investigation of the crime is already complete and the charge sheet has been submitted and there is no chance of absconding of the petitioners and tempering with the evidences.

On the other hand, learned counsel for the State opposed the bail application and submits that death of the niece has occurred otherwise than under normal circumstances just after two years of the marriage, hence, the complicity of the petitioners cannot be ruled out.

Regard being had to the submissions made on



behalf of the parties and considering the general and omnibus nature of allegation, apart from the fact that the petitioners are father-in-law and sister-in-law of the deceased and they are living separately and moreover, the husband is behind the bar, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi (Okari) P.S.Case No. 497 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial.

(ii) They will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.



(v) 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 his criminal antecedent, the court below shall take step for cancelling 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.

(Harish Kumar, J)

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