

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42818 of 2022

Arising Out of PS. Case No.-656 Year-2020 Thana- AHYAPUR District- Muzaffarpur

1. RAJMAL DEVI @ RAJ MAHAL DEVI Wife of Late Sonelal Sah , at present Wife of Prameshwar Sah Resident of village- Mustafapur, P.S- Ahiyapur, Dist- Muzaffarpur
2. Mantu Kumar @ Mantun Kumar @ Muntun Sah Son of Late Sonelal Sah Resident of village- Mustafapur, P.S- Ahiyapur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 17-11-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek bail in connection with Ahiyapur P.S. Case No. 656 of 2020 registered for the offences punishable under Sections 304 (B)/34 of the Indian Penal Code.

As per prosecution case, petitioners and other concertedly assaulted and murdered the informant's daughter by setting her on fire for non fulfillment of demand of dowry.

Learned counsel for the petitioners submits that petitioners are in custody since 25.05.2022. Petitioners bear no



criminal antecedent. Petitioner No. 1 is mother-in-law and Petitioner No. 2 is brother-in-law(Bhaisur) of the deceased and they are living separately from the deceased. Petitioners are quite innocent and have not committed any offence as alleged against them and they have been falsely implicated in this case. Petitioners have no say in the family affairs of the deceased and her husband. The allegation against the petitioners is general and omnibus in nature.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, petitioners are living separately from the deceased and her husband, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail 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 Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 656 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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