

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44157 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- MURAR District- Buxar

1. ANITA DEVI W/o Pintu Kumar Yadav
2. SUSHILA DEVI W/o Ganpati Singh
Both Resident of Village - Konh, P.s.- Murar, Distt.- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-11-2022 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 Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 304B/34 of IPC.

Allegation against all the FIR named accused persons including the petitioners is of demanding golden chain and Apachhe motorcycle in dowry and due to non-fulfillment of such dowry, they abused and tortured to her. On 20.04.2022 in the night the informant got information from Ganpat Yadav that



his daughter committed suicide by hanging from fan. On information he and his family reached there, and saw that his daughter had not committed suicide, but he has full confidence that accused persons have murdered his daughter at matrimonial home.

Learned counsel for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. Further submits that the petitioner No.1 is sister-in-law and petitioner No.2 is mother-in-law of the deceased and it appears from the FIR that there is general and omnibus allegation against the petitioners and the husband of the deceased has already been surrendered and he is in custody since 20.05.2022.

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

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail 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 Murar P.S. Case No.34 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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