

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57152 of 2021

Arising Out of PS. Case No.-81 Year-2021 Thana- CHACKMEHSI District- Samastipur

Shambhu Poddar, Son Of Late Bhuvneshwar Poddar, R/O Village- Saidpur,
P.S.- Chakmehasi, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 17926 of 2022

Arising Out of PS. Case No.-81 Year-2021 Thana- CHACKMEHSI District- Samastipur

Sangeeta Devi, Wife of Sambhu Poddar @ Bhabhu Poddar Resident of
Village - Saidpur Bareba Tola, P.S.- Chakmehsi, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 57152 of 2021)

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

For the Informant : Mr. Sadanand Prasad Deo, Adv.

(In CRIMINAL MISCELLANEOUS No. 17926 of 2022)

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 18-05-2022 Learned counsel for the petitioners undertakes to

remove all the defects as pointed out by office within two weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioners, learned
counsel for the informant and Mr. Akhileshwar Dayal, learned
A.P.P. for the State.

Petitioners in the present case are seeking regular bail in



connection with Chakmehasi P.S. Case No.81 of 2021 registered for the offences punishable under Sections 302, 304(B)/34 and 498A of the Indian Penal Code. They are in custody since 02.06.2021 and 28.02.2022 respectively. The petitioners have got no criminal antecedent.

Learned counsel for the petitioner submits that, as per the prosecution story, the allegation against the petitioners is of demand of dowry and killing the daughter of the informant for non-fulfillment of the same.

Learned counsel for the petitioners submits that the petitioners are father-in-law and mother-in-law of the deceased and have been falsely implicated in this case. Learned counsel submits that the husband of the deceased has already surrendered and is in judicial custody. It is submitted that the petitioners have remained in custody since 02.06.2021 and 28.02.2022 respectively.

Learned counsel for the informant has though opposed the prayer for bail of the petitioners, but is unable to demonstrate that the cause of death is other than hanging by rope.

Having regard to the submission that these petitioners are the father-in-law and mother-in-law respectively, the husband of the deceased has already surrendered and is in judicial custody, the independent witnesses in paragraphs 55, 56, 57 and 58 have



stated that the deceased had hanged herself and the same is corroborated from the postmortem report, these petitioners have remained in custody since 02.06.2021 and 28.02.2022 respectively, this Court directs that the petitioners above named in both the cases be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of Sri Ashish Kumar Mano, learned Judicial Magistrate-1st Class, Samastipur in connection with Chakmehasi P.S. Case No.81 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 antecedent, 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.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

