

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60254 of 2021

Arising Out of PS. Case No.-209 Year-2020 Thana- DARPA District- East Champaran

1. ALKA DEVI W/o Mukesh Sah @ Mukesh Singh Resident of Village - Tinkoni, P.s.- Darpa, Distt.- East Champaran at Motihari.
2. PRABHA DEVI W/o Kailash Singh Resident of Village - Tinkoni, P.s.- Darpa, Distt.- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shashank Shekhar, Advocate
For the Informant	:	Mr.Anil Kumar, Advocate
For the Opposite Party/s	:	Ms.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-03-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners seek bail in connection with Darpa P.S. Case No. 209 of 2020 instituted for the offences under Sections 304(B), 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are in custody since 18.08.2021, are persons with clean antecedent and charge-sheet has been submitted in the case.

The informant alleges that his sister was married to the son of petitioner no.2, it is further alleged that the petitioners along with other co-accused were demanding Rs. Two lakhs by



way of dowry and on 26.12.2020, informant got a call to take back his sister otherwise she would be killed. It is further alleged that on 27.12.2020, the informant went to the matrimonial home of his sister to bring her back, however, the accused persons assaulted him and did not allow the deceased to go with the informant. It is next alleged that on the same day at 12:00 pm, informant got a call from the victim that she was tied by the accused persons and they were preparing to set her ablaze, accordingly the informant reached at the place of occurrence and saw the house locked and all the accused had fled away after killing the deceased.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case, petitioner no.1 is the sister-in-law and petitioner no.2 is mother-in-law of the deceased. Learned counsel further submits that from perusal of the allegation it would manifest that the same are general and omnibus in nature and husband of the deceased is in custody.

Learned counsel for the informant and learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioners and learned counsel for the informant submits that marriage was not even a year old and as such the involvement of the entire family members cannot be ruled out.



Learned counsel for the petitioner rebutting the submission of the learned counsel for the informant submits that it was the duty of the husband to ensure the well being of the wife.

Considering the fact that the petitioners are in custody, are persons with clean antecedent, charge-sheet has been submitted, petitioners are sister-in-law and mother-in-law of the deceased and the husband is in custody, the petitioners are directed to 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 Judicial Magistrate-1st Class, East Champaran at Motihari in connection with Darpa P.S. Case No. 209 of 2020.

(Satyavrat Verma, J)

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