

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65006 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- JOGAPATTI District- West Champaran

1. SUGANDHI DEVI Wife of Prabhu Giri R/O Kaithwalia, P.S. - Sanichari, District - West Champaran.
2. Sunita Devi Wife of Late Rakesh Kumar Giri R/O Kaithwalia, P.S. - Sanichari, District - West Champaran.
3. Satyendra Giri Son of Prabhu Giri R/O Kaithwalia, P.S. - Sanichari, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-05-2022 Heard learned counsel appearing on behalf of the petitioners and learned APP for the State.

Let the defect(s) be removed within two weeks of the complete start of the physical Court in normal course.

Petitioners, who are in custody since 10.09.2021, seek regular bail in connection with Yogapatti (Sanichari) P.S. Case No. 60 of 2020 registered for offences punishable under Sections 302, 328 and 120B/34 of the Indian Penal Code.

Prosecution story in brief is that son of the informant was married with the daughter of Prabhu Giri 16 years back and out of the said wedlock, three daughters were born, however, on account of some matrimonial dispute, a dowry case is stated to have been pending between the parties. It is also alleged that on



account of pressure made upon him for more money and for transferring the land in the name of his wife, present case has been lodged. It is alleged that on 20.02.2020, the deceased had gone to his in-laws house, where he was killed by the accused persons including the petitioners by administering poison.

Learned counsel appearing on behalf of the petitioners submits that petitioner no. 1 and 3 are mother-in-law and father-in-law respectively and petitioner no.2 is the wife of the deceased. Petitioners are innocent and have falsely been implicated in the present case merely on suspicion. Co-accused persons namely Prabhu Giri has been granted bail by a co-ordinate Bench of this Court vide order dated 10.12.2020 passed in Cr. Misc. No. 26884 of 2020, Guddu Giri has been granted bail by a co-ordinate Bench of this Court vide order dated 23.03.2021 passed in Cr. Misc. No. 4384 of 2021 and Dharmendra Giri has been granted bail by a co-ordinate Bench of this Court vide order dated 31.03.2022 passed in Cr. Misc. No. 61569 of 2021. Petitioners are in custody since 10.09.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioners.

Considering the facts and circumstances of the case as well as that other co-accused persons against whom also similar



allegation is made have been enlarged on bail, the petitioners, above named, are directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Yogapatti (Sanichari) P.S. Case No. 60 of 2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(iv) If the petitioners are found involved in similar nature of offence, after their release on bail, the trial Court shall take steps to cancel their bail bond.

(Purnendu Singh, J)

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