

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 64751 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- SIMULTALLA District- Jamui

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1. Munma Devi @ Munni Devi Wife Of Chhatru Yadav, R/O Village- Siyatanr, Tola- Kanaudi, P.S.- Simultala, District- Jamui
 2. Chhatru Yadav Son Of Late Heman Yadav, R/O Village- Siyatanr, Tola- Kanaudi, P.S.- Simultala, District- Jamui
 3. Karu Yadav Son Of Chhatru Yadav, R/O Village- Siyatanr, Tola- Kanaudi, P.S.- Simultala, District- Jamui
 4. Kanti Devi Wife Of Jugal Yadav, R/O Village- Siyatanr, Tola- Kanaudi, P.S.- Simultala, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 11-10-2022 Let the defect(s), if any, be removed within two weeks from today.

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

Learned counsel for the petitioners submit that there are four petitioners in this case. Vide order dated 16.05.2022 petitioner nos.1 and 2 were granted bail and case diary was called for to consider the bail for petitioner nos. 3 and 4 in this case. Therefore, counsel for the petitioners is pressing this bail application for petitioner nos. 3 and 4 only.

The petitioners seek regular bail in connection with Simultalla P.S. Case No. 27 of 2021 lodged under Sections 304(B)/34 of the Indian Penal Code.

Allegation of dowry death is there in the F.I.R.

Learned counsel for the petitioners submit that petitioners are sister-in-law and brother-in-law of the deceased. Learned counsel further submits that the petitioners are leaving separately and they have nothing to do with the family of the deceased and informant. He further submits that petitioners are completely separate but with a view to teach lesson, they are made accused in this case and petitioners are languishing in jail since 10.09.2021 having no criminal antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner nos.3 and 4 above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-II, Jamui in connection with Simultalla P.S. Case No. 27 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of their bail bonds.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioners.

C. The petitioners shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of their present bail bonds.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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