

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55863 of 2022

Arising Out of PS. Case No.-254 Year-2019 Thana- MANJHI District- Saran

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1. SITARA KHATUN WIFE OF SABIR ANSARI
 2. CHAND TARA WIFE OF JABIR ANSARI
- Both r/o VILLAGE- KALAN, P.S.- MANJHI, DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual mode.

The petitioners seek bail in connection with Manjhi
P.S. Case No. 254/2019 registered for the offences punishable
under Sections 304(B)/34 of the Indian Penal Code.

As per prosecution case, the petitioners and other
concertedly committed murder of informant's sister on account
of non-fulfillment of demand of dowry.

Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this
case. The petitioners are Gotani of the deceased and they have
nothing to do with the family affairs of the deceased. Allegation



against the petitioners are general and omnibus in nature. There is no specific overt act against the petitioners. The petitioners are languishing in custody since 08.06.2022 and bear no criminal antecedent. He further submits that the petitioners are residing separately from the deceased. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. On similar allegation co-accused Habiban Bibi has been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.69879/2019 and the petitioners deserve same treatment.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, petitioners are residing separately from the deceased, on similar allegation co-accused has already been granted bail, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioners and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-III,
Saran at Chapra in connection with Manjhi P.S. Case No.
254/2019, subject to following conditions:-

(i) One of the bailors shall be either father or mother
or sister or brother or wife or the person who has sworn the
affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain
present on all dates and absence for two consecutive dates
without appropriate permission, would be a ground for
cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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