

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.524 of 2022

Arising Out of PS. Case No.-45 Year-2020 Thana- SAHPUR District- Patna

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1. Kiran Kumari, Daughter Of Late Anandi Rai Resident Of Village- Madhopur, P.S.- Shahpur, District- Patna.
 2. Manish Kumar @ Manotsh Kumar, Son Of Ram Ratan Rai @ Ratanai Resident Of Village- Madhopur, P.S.- Shahpur, District- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 304(B) and 201/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioner no.1 is a person with clean antecedent and is the second wife of the husband of the deceased and petitioner no.2 has antecedent of one case, which was instituted by the deceased under Section 498A of the I.P.C. and is the brother-in-law of the deceased.

The learned counsel for the petitioners submits that



the informant alleges that his sister was married to Santosh Kumar on 09.05.2014 and after marriage, they were demanding one vehicle and Rs. One lakh by way of dowry and for non-fulfilment of the demand, it is alleged that the accused persons including the petitioners killed his sister. It is also alleged that earlier in 2016 an F.I.R. was instituted against the family member of petitioner no.2 for demanding dowry by the deceased and Santosh Kumar had performed his second marriage within 05 years of his first marriage as dowry demand was not fulfilled.

The learned counsel for the petitioner no.1 submits that she herself was not knowing that Santosh Kumar was married from before and she fell in love at a very young age i.e. 22 years and got married, thereafter she came to know that Santosh Kumar was married from before and the informant falsely implicated her without alleging any overt act. It is next submitted that after the case under Section 498A of the I.P.C. was instituted by the deceased against the family members including the petitioner no.2, the petitioner no.2 is separated from his brother and started staying at a different place. The learned counsel next submits that the husband of the deceased is in custody.



Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Shahpur P. S. Case No.45 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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