

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12539 of 2023

Arising Out of PS. Case No.-480 Year-2021 Thana- RAXAUL District- East Champaran

1. Lal Pari Devi W/O Late Binod Kushwaha R/V- Koiriya Tola, Ward No. 24, P.S.- Raxaul, District- East Champaran, Motihari
2. Arvind Kumar S/O Late Binod Kushwaha R/V- Koiriya Tola, Ward No. 24, P.S.- Raxaul, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 363, 365, 498(A), 304(B), 201/34 of the Indian Penal Code.

The prosecution case in nutshell is that co-accused Vivek Kumar has solemnized love marriage with the daughter of informant in the year 2020. When the informant came to know this fact and she raised objection, co-accused Vivek Kumar threatened to commit murder of his daughter.



It is further alleged that due to non fulfillment of dowry demand of Rs. 5,00,000/- (Rs. Five lakhs) petitioners along with co-accused persons started committing cruelty and torture with the daughter of the informant. It is further alleged that on 3.12.2021, informant's daughter disappeared. The informant is confident that due to non fulfillment of said dowry demand, petitioners along with co-accused persons have murdered her daughter and concealed the dead body.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. Petitioner No. 1 is mother-in-law & petitioner No. 2 is brother-in-law (*Devar*) of the deceased and they have no concern with the mess and business of the deceased and her husband. They lived separately from them. It is stated in para 12 of the petition that husband of the deceased, namely, Vivek Kumar is already incarcerated. They have falsely been implicated in the present case. Moreover, the petitioners are languishing in judicial custody since 30.11.2022. A statement has been made in para 3 of



the petition that petitioners have no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Raxaul P.S. Case No. 480 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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