

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15437 of 2023

Arising Out of PS. Case No.-457 Year-2022 Thana- PAROO District- Muzaffarpur

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1. MANJU DEVI W/o Tulsi Shahni R/o Bhikhanpua, P.S.- Paroo, Distt-Muzaffarpur.
 2. Rinku Devi W/o Bigu @ Bishu Sahni R/o Bhikhanpua, P.S.- Paroo, Distt-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Seema Devi W/o Rumesah Sahni R/o Village- Gurua, P.S.- Sahebganj, Distt-Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-10-2023 Heard Mr. Alok Kumar Alok, learned counsel for

the petitioner and Mr. Bhanu Pratap Singh, learned A.P.P. for

the State.

The petitioner apprehends his arrest in connection
with Paroo P.S. Case No. 457 of 2022 registered for the
offence under Sections 341, 323, 304(B), 498(A), 504, 506,
509/34 of the Indian Penal Code and Section 3/4 of the D.P.
Act.

The daughter of the informant is subjected to
assault and torture on account of non-fulfillment of demand
of dowry by the petitioner and others and she has finally



been done to death for want of dowry.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that the allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that on bare perusal of the F.I.R., it appears that there is no specific allegation of assault or demand of dowry attributed to the petitioners rather general and omnibus allegation attributed to the accused persons including the petitioners. He further submits that the petitioner No.1 happens to be mother-in-law and petitioner No.2 happens to be sister-in-law of the deceased and the husband of the deceased, namely, Deepak Kumar Sahni has surrendered on 12.06.2023 and since then he is in judicial custody.

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

Considering the facts and circumstances of the case and the fact that the petitioners are in laws of the deceased and there is no specific allegation against them coupled with the fact that the husband of the deceased is languishing in



judicial custody, let the, above named, petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., West, Muzaffarpur in connection with Paroo P.S. Case No. 457 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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