

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25376 of 2023

Arising Out of PS. Case No.-111 Year-2022 Thana- KORANSARAI District- Buxar

1. Chanchal Devi W/O Maksudan Sah Resident of Village and P.S.- Koransarai, District- Buxar.
2. Maksudan Sah S/O Late Sukhdeo Sah Resident of Village and P.S.- Koransarai, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Petitioners seek bail who are in custody since 19.09.2022 in connection with Koransarai P.S. Case No. 111 of 2022, F.I.R. dated 19.09.2022 for the offences punishable under Sections 304B, 315/34 of the Indian Penal Code.

According to prosecution case, the petitioners along with other members of the family have killed the sister of the informant due to non-fulfillment of demand of dowry.



Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on the ground that the petitioners are father-in-law and mother-in-law of the deceased. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against these petitioners and the petitioners are living separately from the house of the deceased. He further submits that the petitioners have no concern at all with the family affairs of the deceased and the husband of the deceased who is also the son of the petitioners is behind the bars. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 19.09.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, 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 the learned Chief Judicial Magistrate, Buxar in connection with Koransarai P.S. Case No. 111 of 2022, subject to 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 cancelled 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.

3. 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)

Vanisha/-

U		T	
---	--	---	--

