

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30497 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

1. Lotan Singh @ Lutavan Yadav, Son of Somalal Yadav
2. Dharmshila Devi Wife of Lotan Singh @ Lutavan Yadav, both Resident of Village Pajrawan, PS-Nuaon, Dist-Kaimur at Bhabua.
3. Priyanka Kunwar Wife of Late Ajay Kumar Singh Resident of Village-Mohania, PS-Mohania, Dist-Kaimur at Bhabua at present Reside at Village Panjawan, PS-Nuaon, Dist-Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Advocate
For the State	:	Mr. Choubey Jawahar, APP
For the informant	:	Mr. Randhir Kumar No.1, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-08-2023 Heard the parties.

The petitioners are in judicial custody in connection with Ramgarh (Nuaon) P.S. Case No.37 of 2023 instituted under Sections 302,201,34 of the IPC lodged on 10.02.2023 by the informant Vijay Singh.

As per the prosecution story, the allegation is that the lady was married to one Vijay Singh who was working in Mumbai and she used to remain with the in-laws but was tortured for dowry. Later, they came to know that she has been killed and the body disappeared. Accordingly, the FIR.

It is the case of the petitioners that she was depressed being separated from her husband and committed suicide which is being given the colour of the killing. The facts remains that



immediately after the occurrence, the husband as also the parents were informed. The lady was rushed to the hospital but the doctor declared her dead. The mother-in-law, widow sister-in-law and the father-in-law have already suffered by being in custody since 13.02.2023.

Learned counsel for the informant on the other hand submits that they chose to disappear the body which points finger on them.

Considering the facts on record, the submissions put forward by the learned counsel for the petitioners, two of them are ladies, in custody since 13.02.2023, none of them have criminal antecedent, the father-in-law is aged 60 years, will be facing the trial, this Court is inclined to extend them privilege of bail.

Let the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Ramgarh (Nuaon) P.S. Case No.37 of 2023 to the satisfaction of learned Judicial Magistrate, Ist Class, Mohania, District-Kaimur at Bhabhua subject to following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show



his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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