

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35105 of 2023

Arising Out of PS. Case No.-209 Year-2022 Thana- RAGHOPUR District- Vaishali

1. KUSUM DEVI W/O RAMCHANDRA RAI R/O Village- Ibrahimabad, P.S.-
Raghopur, District- Vaishali
2. MANU RAI S/O RAMCHANDRA RAI R/O Village- Ibrahimabad, P.S.-
Raghopur, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with
Raghopur P.S. Case No. 209 of 2022 registered for the offences
punishable under Sections 304 (B) and 201/34 of the Indian
Penal Code.

As per prosecution case, petitioners and others are
alleged to have committed the murder of informant's daughter
for non fulfillment of demand of dowry.

Learned counsel for the petitioners submits that
petitioners are in custody since 17.03.2023 and bear no criminal
antecedent. Charge sheet has been submitted in the case and



there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner no. 1 is mother-in-law and petitioner no. 2 is brother-in-law of the victim(deceased) and are residing separately from the victim(deceased) and have no concern with the family affairs of the victim(deceased). Allegation against the petitioners are general and omnibus in nature. He further submits that petitioners are quite innocent and have falsely been implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody,petitioners are residing separately from the victim(deceased), keeping in view clean antecedent of petitioners, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Vaishali at Hajipur in connection



with Raghopur P.S. Case No. 209 of 2022 ,subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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