

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41327 of 2022

Arising Out of PS. Case No.-38 Year-2022 Thana- MARAUNA District- Supaul

1. DUKHAN MUKHIYA S/O LATE RAVI MUKHIYA Resident of Village- Bhaluwahi, P.S.- Marauna, District- Supaul.
2. RAMKALA @ RAM KUMARI DEVI W/O DUKHAN MUKHIYA Resident of Village- Bhaluwahi, P.S.- Marauna, District- Supaul.
3. LALMANI DEVI @ LALMAIN DEVI @ RAJO DEVI W/O SURESH MUKHIYA Resident of Village- Bhaluwahi, P.S.- Marauna, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocates
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2023 Heard the learned counsel for the
petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Marauna P.S. Case No. 38 of 2022, registered for the offences punishable under Sections 302, 304B/34 of the Indian Penal Code. Later on, charge-sheet has been submitted in the instant case against the accused persons for the offences under Sections 302, 304B, 498A/34 of the Indian Penal Code.

The allegation is regarding the accused



persons including the petitioners herein, who are stated to be father-in-law, mother-in-law and sister-in-law of the deceased victim lady having killed her on account of non-fulfillment of demand for dowry.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are languishing in custody since 07.03.2022. It is submitted by the learned counsel for the petitioners that the petitioner nos. 2 and 3, are having clean antecedent, however, as far as the petitioner no.1 is concerned, he is an accused in two other criminal cases, in which he is on bail. It is also submitted that the petitioners are not having any complicity in the alleged occurrence inasmuch as they are staying separately from the deceased victim lady and her husband, who is the son of petitioner nos. 1 and 2. It is next contended that the main accused of the present case i.e. the husband of the deceased lady is in custody.



Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioners herein and the petitioners herein are living separately from the deceased victim lady and her husband apart from the fact that the husband of the deceased victim lady is already in custody, hence, no prejudice would be caused to the prosecution in case the petitioners are granted bail, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-



6th, Supaul, in connection with Marauna P.S. Case
No. 38 of 2022.

(Mohit Kumar Shah, J)

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