

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47151 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- SINGHWARA District- Darbhanga

1. Suman Chaubay Son Of Sri Raj Nandan Chaubay Resident Of Village- Rampura, Ps- Singhwara, Distt- Darbhanga
2. Rajani Kumari @ Rajani Kumar Wife Of Sri Suman Chaubay Resident Of Village- Rampura, Ps- Singhwara, Distt- Darbhanga
3. Ranjeet Kumar Chaubay Son Of Sri Raj Nandan Chaubay Resident Of Village- Rampura, Ps- Singhwara, Distt- Darbhanga
4. Mamata Kumari @ Mamta Devi Wife Of Sri Ranjeet Chaubay Resident Of Village- Rampura, Ps- Singhwara, Distt- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-08-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners have preferred this application for grant of regular bail in connection with Singhwara P.S. Case No. 217 of 2022 dated 07.10.2022 registered for the offences punishable u/s 304B read with Section 34 of the Indian Penal Code.



4. As per the prosecution case, the petitioners and the co-accused persons are alleged to have committed murder of the daughter of the informant due to non-fulfillment of demand of car as dowry.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. It is further submitted that the petitioner no. 1 is cousin father-in-law, the petitioner no. 2 is cousin mother-in-law, the petitioner no. 3 is the father-in-law and the petitioner no.4 is the mother-in-law of the deceased. As per the post-mortem report of the deceased, the doctor has opined that death was due to asphyxia as a result of hanging. The petitioner no. 1 is accused in one more criminal case whereas the petitioner no. 2 to 4 have clean antecedent as stated in para 3 of the bail petition. The petitioner no. 1 is in custody since 29.04.2023 whereas the petitioner no. 2 to 4 are in custody since 02.05.2023.

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

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners



above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga at Laheriasarai in connection with Singhwara P.S. Case No. 217 of 2022 with a condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, their bail bonds are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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