

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49127 of 2022

Arising Out of PS. Case No.-265 Year-2022 Thana- WAJIRGANJ District- Gaya

1. Triloki Chaudhari S/O Late Rohan Chaudhari Resident of Village- Kujhi, P.S.- wazirganj, District- Gaya.
2. Kanti Devi W/O Triloki Chaudhari Resident of Village- Kujhi, P.S.- wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 01-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

In the present case, the petitioners seek bail in connection with Wazirganj P.S. Case No. 265 of 2022 registered for the alleged offences under Sections 304(B) and 34 of the Indian Penal Code.

As per prosecution case, daughter of the informant was married with the son of the petitioners in year 2013. Allegation against the petitioners and other co-accused persons is that they used to assault the daughter of the informant and further used to demand money. Finally on account of non-fulfillment of demand of Rs. 2 lacs the daughter of the



informant was killed by the petitioners and other co-accused persons.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners have been living separately from the deceased and husband and this fact has been mentioned by the witnesses in different paragraphs of the case diary. The daughter of the informant died a natural death as she was pregnant and witnesses have stated that she was being taken to hospital on account of pain in her abdomen. The postmortem report does not show any wrong doing or abnormality and there were no obvious external or internal injuries. When the deceased was being cremated, her husband and other in-laws including the petitioners were present. The petitioners are parents-in-law of the deceased and there are in custody since 12.06.2022, investigation is complete and charge-sheet has been submitted.

Learned A.P.P. opposes the prayer for bail of the petitioners submitting that death occurred in the house of the petitioners who are parents-in-law and postmortem report shows in heart blood clots were present.

Perused the records.

Having regard to the facts and circumstances and



submission made on behalf of the parties and considering the postmortem report which does not know any external or internal injuries or cause of death and opinion has been reserved till FSL reporting and further considering the statement of witnesses in paragraphs 34, 35, 42 and 50 of the case diary which indicates towards death occurred due to some natural cause and also considering the clean antecedent of the petitioners along with their period of custody and submission of charge sheet against them, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court of Additional Chief Judicial Magistrate-1st, Gaya in connection with Wazirganj P.S. Case No. 265 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on



three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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