

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54037 of 2023

Arising Out of PS. Case No.-184 Year-2022 Thana- DARIYAPUR District- Saran

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1. Tetar Sah @ Nawal Kishore Sah Son Of Late Satya Narayan Sah R/O-Semrahia, P.S.-DARIYAPUR, Distt.-Saran
 2. Punam Devi @ Rinki Devi Wife Of Mukesh Sah R/O-Semrahia, P.S.-Dariyapur, Distt.-Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-09-2023 Heard Mr. Vijay Kumar Srivastava, learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are father-in-law and sister-in-law of the deceased respectively, apprehending their arrest in connection with Dariyapur P.S. Case No. 184 of 2022, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. Allegedly the marriage of the daughter of the informant was solemnized with the son of petitioner no. 1 ten years ago and the couple blessed with three children. It is further alleged that on 08.04.2022 the informant received an



information that his daughter was done to death by all the family members by strangulating her neck.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioner no. 1, who happens to be the father-in-law, used to reside some different place in order to earn his livelihood, on the other hand the petitioner no. 2 is married *gotani* who had no concern with the affairs of the deceased. The police after investigation has found the case true only under Sections 306/34 of the Indian Penal Code. He next submitted that even during course of investigation, the children of the deceased has not made any allegation against the family members and it has come that on account of some trifle in the family, she herself committed suicide. He further submits that the petitioners undertake that they will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned counsel for the State opposes the bail application and submits that the petitioners were residing with the deceased in the same house and therefore their complicity cannot be denied.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that that the police in course of investigation has found the case true under Sections



306/34 of the Indian Penal Code, that apart there is omnibus nature of allegation against all the family members, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Dariyapur P.S. Case No. 184 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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