

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52881 of 2023

Arising Out of PS. Case No.-87 Year-2023 Thana- AGAMKUAN District- Patna

1. Santosh Choudhary, S/O Braham Deo Choudhary @ Brahamdev Chaudhary, Resident of Kumhar Toli, Chhoti Pahari, P.S- Agamkuan, District- Patna
2. Raju Choudhary, S/O Late Saryug Choudhary, R/O Kazibigha, P.S- Gaurichak, Distt.- Patna.
3. Gudiya Devi, W/O Raju Choudhary, R/O Kazibigha, P.S- Gaurichak, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Agamkuan P.S. Case No. 87 of 2023 registered for the alleged offences under Sections 304 (B)/34 of the Indian Penal Code.

3. As per prosecution case, the daughter of the informant was married with co-accused Praduman Choudhary in the year 2021. The informant has alleged that there was demand of Rs.50,000/- and torture related to the said demand. Further allegation is that the co-accused informed the informant that her



daughter consumed poison and when they reached the matrimonial home of the daughter of the informant, the informant and other were abused by the petitioners who are said to be in-laws of the daughter of the informant. Later on, the daughter of the informant died in course of her treatment.

4. The learned counsel for the petitioners submits that the petitioners are the elder brother, brother-in-law and sister of the co-accused husband of the deceased, respectively and the allegations are false and concocted against them. There is no specific allegation against the petitioners either for demanding of dowry or for torturing the deceased daughter of the informant. The learned counsel further submits that the petitioners have nothing to do with the family matters of the deceased and her husband as they are separate in mess and house. The petitioner no. 3 is the married sister of the husband of the daughter of the informant. The husband of the deceased is already in judicial custody. The deceased was suffering from some mental disorder and this fact was known to the informant and despite this fact she has falsely implicated the entire family members of the petitioners in the present case.

5. Learned APP opposes the prayer for anticipatory bail made on behalf of the petitioners. The learned APP submits



that the petitioners are in-laws and they were also instrumental in torturing and killing the daughter of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners are said to be the in-laws and they are living separately, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, 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 Additional Chief Judicial Magistrate-IV, Patna City, Patna, in connection with Agamkuan P.S. Case No. 87 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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