

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54759 of 2022

Arising Out of PS. Case No.-328 Year-2021 Thana- PAKARIBARAW District- Nawada

1. Sunaina Devi @ Tusi Devi W/O Bhola Chaudhary R/O Village- Rewar, P.S.- Dhamaul, District- Nawada
2. Bhola Chaudhary S/O Late Sahdeo Chaudhary R/O Village- Rewar, P.S.- Dhamaul, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Adv
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioners and learned APP for the State.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in connection with Pakaribarwan (Dhamaul) P.S. Case No. 328 of 2021 registered under Sections 304(B) and 34 of the Indian Penal Code.

The FIR alleges that informant's daughter was married on 25.04.2021 to the son of petitioners. There is allegation that all the family members at her matrimonial home have been pressurising the informant's daughter to make demand for certain articles and gold as



dowry. One month prior to lodging of the FIR, it is stated that the informant had gone to the matrimonial home and gave some gold. It is alleged that on 18.10.2021, all the family members, including the petitioners, have killed the informant's daughter by throttling.

Learned counsel for the petitioners submits that petitioners have been implicated because they are father-in-law and mother-in-law of the deceased. There is no specific allegation against these petitioners with reference to any earlier specific incidence of mistreatment or cruelty. The petitioners are stated to be in custody since 14.07.2022. The petitioners have no antecedents and informant, obviously, is not an eye witness to the occurrence.

Learned APP has opposed the prayer for bail.

Considering the rival submissions having regard to the nature of general and omnibus allegation, relationship of deceased with the petitioners and period of custody, this Court is inclined to allow the petitioners' prayer for bail.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada in Pakaribarwan (Dhamaul) P.S. Case No. 328 of 2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to



inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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