

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55703 of 2022

Arising Out of PS. Case No.-282 Year-2022 Thana- DUMRA District- Sitamarhi

1. SOMARI DEVI WIFE OF RAJNANDAN RAI Resident of Village- Misraulliya, Ward No.- 8, P.S.- Dumra, District- Sitamarhi
2. RAJNANDAN RAI SON OF LATE KHENHARU @ KHENARU RAI Resident of Village- Misraulliya, Ward No.- 8, P.S.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-02-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners seek bail in connection with Dumra
P.S. Case No. 282 of 2022 registered for the offences punishable
under Sections 304B/34 of the Indian Penal Code.

As per prosecution case, petitioners and others are
alleged to have committed the murder of informant's daughter
for not fulfilling the demand of dowry.

Learned counsel for the petitioners submits that
petitioners are in custody since 29.06.2022. Petitioners bear no
criminal antecedent. Charge sheet has already been submitted in
the case and there is no likelihood of tampering with the



prosecution evidence. Learned counsel further submits that the petitioners are quite innocent and have committed no offence as alleged in the F.I.R. Petitioners are falsely been implicated as they are mother-in-law and father-in-law of the deceased. Petitioners have no say with the family affairs of the deceased. Petitioners are residing separately from the deceased and her family. There is no specific allegation against the petitioners. There is general and omnibus allegation against the petitioners.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, petitioners having no say with the family affairs of the deceased, keeping in view clean antecedent of the petitioners, argument advanced on behalf of the petitioners and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Dumra P.S. Case No. 282 of 2022, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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