

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55848 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- SAKATPUR District- Darbhanga

1. BINDI DEVI W/O DAHOR DHANKAR @ DAHORWA DHANKAR R/O VILLAGE- SAKATPUR, P.S- SAKATPUR, DISTT.- DARBHANGA.
2. BIBHA DEVI W/O SURESH DHANKAR R/O VILLAGE- CHANAURAGANJ, P.S- JHANJHARPUR, DISTT.- MADHUBANI.
3. SURESH DHANKAR S/O RAM BILASH DHANKAR R/O VILLAGE- CHANAURAGANJ, P.S- JHANJHARPUR, DISTT.- MADHUBANI.
4. ASHA DEVI W/O RAJU DHANKAR R/O VILLAGE- KAMLAWARI, P.S- JAINAGAR, DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Pratik, Advocate
		Mr.Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s :		Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2023 Heard Mr. Kumar Pratik, learned counsel for the
petitioners and learned APP for the State.

The petitioners are in judicial custody in connection with Sakatpur P.S. Case No. 19 of 2023 registered under Sections 304(B) and 34 of the Indian Penal Code lodged on 17.02.2023 by the informant, Dilip Dhankar.

The allegation is that informant's daughter was married to Shrawan Dhankar but was regularly tortured for dowry and on the fateful day, information came that she was ill and later passed away. However, he reached the place, the dead



was found behind the garden of one Ramakant Singh. Accordingly, the FIR.

It is the case of the learned counsel that the petitioner no. 1 is the mother-in-law, petitioner no. 2, the married sister-in-law, petitioner no. 3, the brother-in-law (husband of petitioner no. 2) while petitioner no. 4, is the married sister-in-law. Further, they have nothing to do with the alleged occurrence. Husband is in custody since 01.04.2023 (as stated in paragraph-13 of the petition).

Learned APP for the State opposes the prayer for bail stating that the lady did not even get the respect after her death *inasmuch* as the dead body was found in a ditch.

Considering the aforesaid facts as the husband is in custody, these accuseds are the married sister-in-laws, the brother-in-law as also the aged mother mother-in-law, they are living separately and none of them have criminal antecedents, this Court is inclined to grant them privilege of bail.

Let the petitioners be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Darbhanga in connection with Sakatpur P.S. Case No. 19 of 2023 subject to the following conditions:



(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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