

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57395 of 2023

Arising Out of PS. Case No.-320 Year-2022 Thana- PANAPUR District- Saran

1. Manju Devi, Wife of Laldeo Prasad, Resident of Village- Semari, P.S.- Panapur, Dist- Saran
2. Sanju Devi, Wife of Santlal Prasad, Resident of Village- Semari, P.S.- Panapur, Dist- Saran
3. Biresh Prasad, Son of Late Mohan Bind, Resident of Village- Semari, P.S.- Panapur, Dist- Saran
4. Nagendra Prasad, Son of Late Mohan Bind, Resident of Village- Semari, P.S.- Panapur, Dist- Saran
5. Santlal Prasad, Son of Late Mohan Bind, Resident of Village- Semari, P.S.- Panapur, Dist- Saran
6. Laldeo Prasad, Son of Late Mohan Bind, Resident of Village- Semari, P.S.- Panapur, Dist- Saran
7. Sunaina Kuwar, Wife of Late Mohan Bind @ Late Mohan Bind, Resident of Village- Semari, P.S.- Panapur, Dist- Saran
8. Chanda Devi, Wife of Nagendra Prasad, Resident of Village- Semari, P.S.- Panapur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-12-2023 Heard Mr. Avnish Kumar Singh, learned counsel appearing on behalf of the petitioners and the learned APP for the State.

2. At the outset, learned counsel for the petitioners seeks permission to withdraw the bail application on behalf of **petitioner no.3, namely, Biresh Prasad**, who happens to be the



husband of the deceased.

3. Permission is accorded.

4. The petitioner nos. 1, 2 and 4 to 8 are apprehending their arrest in connection with Panapur P.S. Case No. 320 of 2022 registered for the offences punishable under Sections 147, 149, 302, 201, 498(A)/34 of the Indian Penal Code.

5. The F.I.R. is based upon the complaint filed by the informant alleging therein that the marriage of his sister was solemnized with petitioner no.3 in the year 2005 and as the victim was issue less, she was subjected to torture in various ways and demand has also been made for extra dowry. It is further alleged that in the night of 28.05.2022, the victim was done to death by all the accused persons and the dead body has been concealed.

6. It is submitted on behalf of the petitioners that petitioner nos. 4, 5 and 6 are brothers-in-law, whereas petitioner nos. 1, 2 and 8 are sisters-in-law (Gotani of the deceased). The petitioner no.7 happens to be the mother-in-law of the deceased. He further submits that there is omnibus nature of allegation against all the family members and admittedly the marriage was solemnized way back in the year 2005 and, as such, after 17 years of the marriage, any demand of dowry or resultant torture



appears to be highly doubtful. Further submission has been made that in fact the deceased was a woman of unsound mind and used to left the house and returned back after some days. On 28.05.2022, she also left the house, but did not return and in the meantime, this F.I.R. has been instituted suspecting the hands of the petitioners. He lastly submits that the petitioners, having fair antecedent, have no concern with the day to day affairs of the deceased and her husband.

8. On the other hand, learned APP for the State opposes the bail application and submits that during the course of investigation it has come that on the fateful day there was some chaos like situation in the matrimonial house of the deceased.

9. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the complaint/F.I.R. and the fact that marriage was solemnized way back in the year 2005. That apart, the allegations against all the petitioners are omnibus in nature and the husband of the deceased has already withdrawn his application for anticipatory bail, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on



bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Panapur P.S. Case No. 320 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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