

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56693 of 2023

Arising Out of PS. Case No.-166 Year-2022 Thana- RAJEPUR District- East Champaran

1. RAMDENIYA DEVI W/O UMAKANT DAS R/O VILLAGE-MAHAMMADPUR SAGAR, PS. RAJEPUR, DIST. EAST CHAMPARAN
2. CHANDA DEVI W/O SANJEET DAS R/O VILLAGE-MAHAMMADPUR SAGAR, PS. RAJEPUR, DIST. EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-08-2023

1. Heard the learned counsel for the petitioners and learned APP for the State.

2. This is an application for grant of anticipatory bail in connection with Rajepur P.S. Case No.166 of 2022, registered for offences under Sections 304B, 201 and 34 of the IPC.

3. The case of the prosecution in brief, is that the marriage of the daughter of the informant was solemnized with one Mantu Kumar on 12.05.2017, and during the course thereof, cash amount, gifts, etc. were given, whereafter, the deceased victim lady had gone to her matrimonial home, however, the accused persons had then started demanding dowry by way of a motorcycle and a sum of Rs.80,000/- for purchasing a motorcycle, but on account of non-fulfillment of the demand for dowry, the accused persons are stated to have killed the deceased victim lady.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been



falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the petitioner no.1 is the mother-in-law, while the petitioner no.2 is the sister-in-law of the deceased victim lady and a general and omnibus allegation has been levelled against them, whereas the fact is that the main accused is the husband, namely, Mantu Kumar. It is contended that the petitioners were living separately from the deceased victim lady and her husband, nonetheless it is submitted that the petitioners be directed to be released on bail subject to the said Mantu Kumar, surrendering before the learned trial court, within a period of four weeks from today.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioners and they are stated to be living separately from the deceased victim lady and her husband, though, I deem it fit and proper to direct the learned court of Chief Judicial Magistrate, Motihari, East Champaran in connection with Rajepur P.S. Case No.166 of 2022, to admit the petitioners to the privilege of anticipatory bail, however, subject to them submitting proof of surrender of the main accused person that is Mantu Kumar (husband of the deceased victim lady), within a period of four weeks from today and subject to imposition of such other conditions as may be



deemed fit and proper to be imposed for the purposes of grant of anticipatory bail to the petitioners.

7. The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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