

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.59965 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- KUDHNI District- Muzaffarpur

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1. BINDESHWAR RAI, Male, aged about 67 years, S/O MALAHU RAI
2. SUNDARI DEVI, Female, aged about 65 years, WIFE OF BINDESHWAR RAI,
Both are residents of VILLAGE FAKULI, POLICE STATION, KUDHNI,
FAKULI O.P., DISTRICT MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 20-12-2023 Heard Mr. Ranjan Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Narendra Kumar
Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Kudhni (Fakuli O.P.) P.S. Case No. 106 of 2023 dated
05.03.2023 registered for the offence(s) punishable under
Sections 304(B), 201 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein killed the daughter of the informant for
non-fulfillment of demand of dowry.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner no.1 has met with an accident and he is no more and application with respect to him has become infructuous. So far as petitioner no.2 is concerned, she is an old lady and she had no concern with the matrimonial affairs of her son and daughter-in-law. Petitioner no.2 has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation alleged against petitioner no. 2 and the material available on record, as well as, the fact that husband of the deceased is also in custody, I am of the opinion that petitioner no.2 has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner no.2, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffapur in connection with Kudhni (Fakuli O.P.) P.S. Case No. 106 of 2023, subject to the conditions as laid down under Section



438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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