

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73839 of 2022

Arising Out of PS. Case No.-282 Year-2022 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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1. PUJA MISHRA @ PUJA D/o Vijay Kumar Mishra R/o Flat No. 601, Laxmi Arcade, Aghoriya Bazar, Near Bata Showroom, Presently at Padaw Pokhar, P.S.- Kazi Mohammadpur, District- Muzaffarpur
 2. USHA MISHRA Wife of Vijay Kumar Mishra R/o Flat No. 601, Laxmi Arcade, Aghoriya Bazar, Near Bata Showroom, Presently at Padaw Pokhar, P.S.- Kazi Mohammadpur, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sagarika, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-02-2023 Heard Ms. Sagarika, learned counsel for the petitioners
and the State through video conferencing in view of the Covid-19.

The petitioners apprehend their arrest in connection
with Kazi Mohmmadpur P.S. Case No. 282 of 2022 instituted
under Sections 403B and 34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that
his younger sister, Vandana @ Ginni was married to Diwakar
Mishra but was always tortured for dowry and on the fateful day,
he came to know about her killing which the accused persons tried
to convert into a story of suicide.

Accordingly, the FIR.



Learned counsel for the petitioners submit that both the husband as well as father-in-law of the deceased are in jail. The two petitioners herein are mother-in-law and the sister-in-law (Nanad) and had nothing to do with the said occurrence, in fact, the lady had committed suicide but infuriated by the said death, the allegation of murder has been alleged.

Learned APP on the other hand opposes the prayer for bail.

Taking into account the fact that that the two petitioners are ladies, mother-in-law and sister-in-law, the husband and the father-in-law are in jail, both do not have criminal antecedents, this Court is inclined to extend them privilege of anticipatory bail.

Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Kazi Mohmmadpur P.S. Case No. 282 of 2022 to the satisfaction of learned A.C.J.M. 1st (East), Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C and with the further conditions :

(i) one of the bailor should be the family member of the



petitioners who shall provide official document to show their 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 co-operate in the investigation and make themselves available to the police as and when required;

(iv) 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 the bail bonds;

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

(Rajiv Roy, J)

Ajay Singh/-

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