

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73390 of 2022

Arising Out of PS. Case No.-95 Year-2022 Thana- GOPALPUR District- West Champaran

1. RADHIKA DEVI W/O LATE SHAMBHU SAH Resident of village- Kabilashwa, P.S.- Gopalpur, District- West Champaran.
2. SHAKTINATH SH @ SHAKTINATH PRASAD S/O LATE SHAMBHU SAH Resident of village- Kabilashwa, P.S.- Gopalpur, District- West Champaran.
3. CHANDAN PRASAD @ CHANDAN KUMAR S/O SHAKTINATH PRASAD Resident of village- Kabilashwa, P.S.- Gopalpur, District- West Champaran.
4. MANISH SAH @ MANISH KUMAR @ MANISH KUMAR SONI S/O LATE SHAMBHU SAH Resident of village- Kabilashwa, P.S.- Gopalpur, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 74856 of 2022

Arising Out of PS. Case No.-95 Year-2022 Thana- GOPALPUR District- West Champaran

BABITA DEVI Wife of Digambar Prasad @ Digambar Kumar Soni @ Digambar Sah R/V- Kabilashwa, P.s- Gopalpur, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 73390 of 2022)

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

(In CRIMINAL MISCELLANEOUS No. 74856 of 2022)

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-02-2023 Heard the parties.

As both these bail applications have cropped up from the



same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

The petitioners apprehend their arrest in a case registered for the offence punishable under sections 304(B)/201/34 of the Indian Penal Code.

The prosecution case in short is that the marriage of the daughter of informant was solemnized with one Digambar Sah on 28.06.2012. It is stated by the informant that after marriage his daughter was always tortured by her husband and his family members due to demand for dowry. It is alleged that on 04.07.2022 the petitioners in association with other co-accused persons killed the daughter of the informant and attempted to cremate her dead body.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. Petitioner Radhika Devi is the mother-in-law of the deceased whereas petitioner nos.2 to 4 in Cr. Misc.



No.73390 of 2022 are the family members of the deceased. Petitioner Babita Devi is the second wife of the husband of the deceased. It is further submitted by the learned counsel for the petitioners is that the husband of the deceased is already in judicial custody, as also stated in para-18 of the bail application. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Gopalpur P.S. Case No.95 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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