

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.695 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- KUDRA District- Kaimur (Bhabua)

1. Rajmuni Devi @ Chand Muni Devi Wife Of Daddan Singh @ Daddan Singh Yadav R/O Village- Amiaura, P.S.- Kaimur (Bhabhua), District- Rohtas
2. Daddan Singh @ Daddan Singh Son Of Late Ram Surat Singh R/O Village- Amiaura, P.S.- Kaimur (Bhabhua), District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Advocate
For the Informant : Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-06-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Petitioners seek bail, who are in in custody since 21.08.2022 and 01.09.2022 in connection with Kudra P.S. Case No. 224 of 2022, F.I.R. dated 17.08.2022 for the offences punishable under Sections 363, 365, 498(A), 506, 34 of the Indian Penal Code and later on Sections 302, 304(B), 201 of the Indian Penal Code were added.

Allegation against these petitioners are that they along with their family members killed the daughter of the informant on the pretext of non-fulfillment of demand of dowry

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case merely on the ground that the petitioners are in-laws of the deceased. He further submits that bare perusal of the F.I.R. it transpires that there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that the police after investigation submitted the charge sheet against these petitioners and the petitioners are in judicial custody since 21.08.2022 and 01.09.2022 respectively.

The learned counsel for the informant and learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioners and submits that it has come during investigation para 62 of the C.D. that all the accused persons including these petitioners have committed the murder of deceased and the postmortem report also supported the allegation as alleged in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sri Manish Mishra, Judicial Magistrate, 1st Class, Mohania in connection with Kudra P.S. Case No. 224 of 2022, subject to the following conditions:-



1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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