

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5036 of 2024

Arising Out of PS. Case No.-92 Year-2023 Thana- MURLIGANJ District- Madhepura

1. Mina Devi wife of Satto Sharma @ Satya Narayan Sharma Village- Rahta Ps- Murliganj Dist- Madhepura
2. SADANAND SHARMA S/O SATTO SHARMA @ SATYA NARAYAN SHARMA Village- Rahta Ps- Murliganj Dist- Madhepura
3. SUNITA DEVI W/O SADANAND SHARMA Village- Rahta Ps- Murliganj Dist- Madhepura
4. BIRO DEVI W/O RAHUL SHARMA @ RAHUL KUMAR Village- Rahta Ps- Murliganj Dist- Madhepura
5. HINA DEVI D/O SATTO SHARMA @ SATYA NARAYAN SHARMA Village- Rahta Ps- Murliganj Dist- Madhepura
6. RAHUL SHARMA @ RAHUL KUMAR S/O SATTO SHARMA @ SATYA NARAYAN SHARMA Village- Rahta Ps- Murliganj Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-02-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Murliganj P.S. Case No. 92 of 2023 for the offence registered under sections 302, 304B and 34 of the Indian Penal Code lodged on 13.03.2023 by the informant Shiromani Das.

3. As per the prosecution story, the son of the petitioner no. 1, Pawan Sharma was married to the deceased



lady but was tortured for dowry and subsequently, they were informed about her killing. Accordingly, the FIR.

4. Learned Counsel for the petitioners submit that they are family members, living separately nothing to do with the case, implicated only because they belong to the same family.

5. The further submission is that the husband, Pawan Sharma is in custody and his bail petition (Cr. Misc. No. 4146 of 2024) is already pending.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that they are family members and their role cannot be ignored.

7. Taking into account the submissions put forward by the parties as also that they are family members, some of them are ladies, do not have criminal antecedent and as informed by learned Counsel for the petitioners that the husband is in custody, this Court is inclined to extend them privilege of anticipatory bail.

8. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the



like amount each to the satisfaction of the learned J.M. 1st Class, Madhepura in connection with Murliganj P.S. Case No. 92 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(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 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 their bail bonds;

(iv) 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)

Neha/-

U		T	
---	--	---	--

