

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6938 of 2024

Arising Out of PS. Case No.-652 Year-2021 Thana- RUPASPUR District- Patna

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1. Soni Devi Wife of Late Dharmendra Manjhi Resident of Village- Chulahi Chowk, Musahari, P.S- Rupaspur, District Patna
 2. Sangita Kumari Wife of Chandan Manjhi Resident of Village- Chulahi Chowk, Musahari, P.S- Rupaspur, District Patna
 3. Chandan Manjhi Son of Late Dharmendra Manjhi Resident of Village- Chulahi Chowk, Musahari, P.S- Rupaspur, District Patna

... .. Petitioner/s

Versus

1. The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Jha, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2024 Heard Mr. Ajay Jha, learned counsel for the

petitioners as well as Mr. Anil Prasad Singh, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rupaspur P.S. Case No. 652 of 2021, F.I.R. dated 17.12.2021 for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioners have killed the daughter of the informant due to non-fulfillment of demand of dowry.

4. 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 the petitioner no. 1 is the mother-in-law of the deceased, petitioner no. 2 is sister-in-law and petitioner no. 3 is brother-in-law of the deceased. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners and the husband of the deceased, namely, Raja Manjhi is in judicial custody since 18.07.2022.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail 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 Additional Chief Judicial Magistrate, II, Danapur, District- Patna in connection with Rupaspur P.S. Case No. 652 of 2021, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

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

iii. 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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