

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9460 of 2024

Arising Out of PS. Case No.-470 Year-2023 Thana- BARBIGHA District- Sheikhpura

1. Vikash Kumar S/O Late Raghunandan Kumarmahto @ Late Raghunandan Mahto Resident Of Village-Chandukuan, P.S.-Barbigha, District-Sheikhpura.
2. Vibha Devi @ Priyaka Kumari Daughter Of Vikash Kumar Resident Of Village-Chandukuan, P.S.-Barbigha, District-Sheikhpura.
3. Chinta Devi @ Minta Devi W/O Late Raghunandan Kumar Mahto @ Late Resident Of Village-Chandukuan, P.S.-Barbigha, District-Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Barbigha P.S. Case No. 470 of 2023 dated 06.11.2023, instituted
for the offence punishable under Sections 302, 201/34 of the
Indian Penal Code.

3. The prosecution case, in short, is that the informant
married her daughter namely, Puja Kumari to Deepak Kumar in
the year 2013 and informant had given gifts and two lakhs cash
in his own capacity to Deepak Kumar but after some years of
marriage, the family of Deepak Kumar started demanding one



motorcycle and one lakh rupees and started pressurizing and torturing the daughter of informant. When the daughter of informant opposed the dowry then her in-laws murdered and burnt her body.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner no. 1 is the elder brother of the husband of the deceased and petitioner no. 2 is the niece of husband of deceased and petitioner no. 3 is the mother-in-law of deceased. It is further stated that the husband of the deceased is languishing in jail since 28.11.2023. There is no specific allegation against the petitioners rather the allegation against the petitioners is general and omnibus in nature. It is further submitted that admittedly marriage was performed in the year 2013 and for last 10 years neither any complainant nor her family members had made any complain against the petitioner but when she died after 10 years of marriage due to chronic disease then a false and concocted story has been made against the petitioners. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Barbigaha P.S. Case No. 470 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sheikhpura, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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