

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11057 of 2024

Arising Out of PS. Case No.-26 Year-2021 Thana- GUTHANI District- Siwan

1. Prabhawati Devi @ Prabhawati Kunwar, Wife of Late Ram Prabhav Yadav @ Ram Prabhu Yadav, Resident of Village- Tarwar Khurd, P.S.- Guthani, Dist- Siwan (Mother-in-Law)
2. Rinku Devi, Daughter of Late Ram Prabhav Yadav @ Ram Prabhu Yadav, Resident of Village- Tarwar Khurd, P.S.- Guthani, Dist- Siwan (Sister-in-Law)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-04-2024 Heard Mr. Ajay Kumar Tiwary, learned counsel appearing on behalf of the petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Guthani P.S. Case No. 26 of 2021 registered for the offences punishable under Sections 304(B), 201/34 of the Indian Penal Code.

3. The prosecution case, based on the written report, alleges that the marriage of the sister of the informant was solemnized with co-accused Surendra Yadav in the year 2010. However, soon after the marriage the victim was subjected to demand of dowry and on account of non-fulfillment of the



same, she was tortured in various ways, leading to her death on 3/4.02.2021 by all the family members.

4. It is submitted that the petitioners are the mother-in-law and sister-in-law of the deceased, having no specific allegation. Contention of the petitioners is that admittedly the marriage of the victim was solemnized ten years ago and, as such, any demand of dowry at this stage does not inspire any confidence. Moreover, the petitioners have no concern with the day-to-day affairs of the deceased and her husband, who has been allowed the privilege of regular bail by a co-ordinate Bench of this Court in Cr. Misc. No. 58766 of 2023 vide order dated 21.09.2023. Other family members have also been allowed the privilege of regular/anticipatory bail by this Court in Cr. Misc. No. 54826 of 2021 and in Cr. Misc. No. 26383 of 2022 vide order dated 31.03.2022 and 20.09.2022 respectively.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the petitioners are mother-in-law and sister-in-law, besides the fact that marriage was solemnized 11 years ago, let the petitioners, named above, in the event of their arrest or



surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Siwan in connection with Guthani P.S. Case No. 26 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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