

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10456 of 2024

Arising Out of PS. Case No.-111 Year-2022 Thana- JAMHOR District- Aurangabad

1. Radhika Kunwar, W/O Late Ramvilash Singh, R/O Village- Dhangai, P.S- Jamhore, Distt.- Aurangabad (BIHAR)
2. Urmila Devi, W/O Awadhesh Singh, R/O Village- Dhangai, P.S- Jamhore, Distt.- Aurangabad (BIHAR).
3. Mina Devi, W/O Pintu Singh, R/O Village- Dhangai, P.S- Jamhore, Distt.- Aurangabad (BIHAR).
4. Chameli Devi, D/O Rinku Singh, R/O Village- Dhangai, P.S- Jamhore, Distt.- Aurangabad (BIHAR).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In this present case, the petitioners are apprehending their arrest in connection with Jamhore P.S. Case No. 111 of 2022, registered on 08.05.2022 for the offences under Sections 304B, 201 and 120B/34 of the Indian Penal Code.

3. As per prosecution case, marriage of the daughter of the complainant/informant was solemnized with son of petitioner no.1, namely, Ramesh Singh. Allegation against the



petitioners is that they used to demand a gold chain and Rs. 50,000/- in dowry from the daughter of the informant and on non-fulfillment of their demand, under a conspiracy, they administered poison to the daughter of the informant and killed her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioner no.1 is mother-in-law of the deceased and petitioner no. 2 is sister-in-law of petitioner no.1, petitioner no. 3 is sister-in-law of the deceased and petitioner no. 4 is co-villager. Allegations are general, vague and omnibus. Petitioners never demanded any dowry and never assaulted the deceased on this account. The FIR has been registered after delay of two months for which there is no explanation. Real facts of the case is that the deceased had been suffering from AIDS and she died due to said disease and the informant falsely implicated the family members of the matrimonial home of the deceased. The police after investigation, submitted final form against the accused persons including the petitioners due to lack of evidence. No offence under Section 304B and other allied sections of IPC is made out against the petitioners. However, learned ACJM-III, Aurangabad, after receiving the final form,



vide order dated 13.06.2023 took cognizance under Sections 304B, 201, 120B and 34 of IPC against the petitioners and other co-accused persons. It is evident from the complaint petition that the informant joined the last rights of his daughter. The petitioners have got no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague nature of allegations against the petitioners and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Aurangabad (Bihar)/concerned court in connection with Jamhore P.S. Case No. 111 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.



(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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