

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14553 of 2024

Arising Out of PS. Case No.-559 Year-2023 Thana- GARDANIBAG District- Patna

1. Minta Devi, W/o Prabhu Das @ Prabhu Ram, R/o vill - Bhikhachak, P.s. - Gardanibagh, Distt. - Patna
2. Soni Devi @ Soni Kumari, W/o Rajnish Das, R/o vill - Bhikhachak, P.s. - Gardanibagh, Distt. - Patna
3. Rajnish Das @ Rajnish Kumar, S/o Prabhu Das @ Prabhu Ram, R/o vill - Bhikhachak, P.s. - Gardanibagh, Distt. - Patna
4. Deepak Das @ Deepak Kumar, S/o Prabhu Das @ Prabhu Ram, R/o vill - Bhikhachak, P.s. - Gardanibagh, Distt. - Patna
5. Roshan Das @ Roshan Kumar, S/o Prabhu Das @ Prabhu Ram, R/o vill - Bhikhachak, P.s. - Gardanibagh, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-03-2024 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 Gardanibagh P.S. Case No. 559 of 2023, registered for the offences under Sections 306/34 of the Indian Penal Code.

3. As per prosecution case, co-accused Lallu Das was married with the sister of the informant and allegation against the petitioners, who are in-laws of the sister of the informant, is



that they used to demand of dowry and took Rs. 3,00,000/-from the informant. Thereafter, on account of their demand of Rs. 2,00,000/-, they killed the sister of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners are brothers-in-law and sisters-in-law of the deceased and merely on suspicion they have been implicated in this case by the informant. Petitioners never demanded any money and never assaulted or tortured the deceased. True fact of the case is that petitioners themselves informed the informant and the informant came to the house of the petitioners and thereafter lodged this false case. Marriage of the deceased was solemnized with co-accused Lallu Das in the year 2008 but till the lodging of the FIR, there has been no complaint against the co-accused or the petitioners. Petitioners are family members of the husband of the deceased and they have been living separately from him. Husband of the deceased is in custody since 03.08.2023. Petitioners are having clean 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



fact that the petitioners are in-laws of the deceased and there is general and omnibus allegation against them 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. 5,000/- (Rupees Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned J.M.-1st, Patna/concerned court in connection with Gardanibagh P.S. Case No. 559 of 2023, 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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