

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18451 of 2024**

Arising Out of PS. Case No.-500 Year-2023 Thana- RAFIGANJ District- Aurangabad

1. Lalita Devi wife of Vijay Chaudhary Village- Baligawn Ps- Rafiganj Dist- Aurangabad
2. Vijay Chaudhary son of Late Rajdeo Chaudhary Village- Baligawn Ps- Rafiganj Dist- Aurangabad
3. Asha Devi @ Geeta Devi wife of Dharmendra Chaudhary Village- Baligawn Ps- Rafiganj Dist- Aurangabad
4. Dharmendra Chaudhary son of vijay Chaudhary Village- Baligawn Ps- Rafiganj Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      22-08-2024                      Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 304(B)/34 of the IPC in connection with Rafiganj P.S. Case No. 500 of 2023.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his niece, Manisha was married to Satyendra Choudhary on 16.03.2023. At the time of marriage, Rs. three



lakhs and an Apache motorcycle was given by way of gift, but after marriage, Satyendra started demanding a gold chain and a ring and for non-fulfillment of the demand, the victim was tortured. Further, it is alleged that the accused persons including the petitioners also used to torture her for non-fulfillment of the demand. Further on 13.11.2023, all the accused persons assaulted the victim and forcibly administered poison to her and she died during the course of treatment.

4. The learned counsel submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the allegation of demand as far as the petitioners are concerned, is general and omnibus in nature.

5. It is also submitted that the informant himself alleges that the victim was taken to the hospital for treatment. It is further submitted that had the petitioner been involved in the occurrence, in that event, they would never have taken the victim to the hospital for treatment, for the reason that had the victim survived, in that event, they would have been implicated. It is also submitted, no doubt, the presumption in law, is against the petitioners, but then facts of the case also needs to be appreciated.

6. It is next submitted that the husband of the



deceased is in custody and it was the side of her husband who informed the informant about the occurrence. It is also submitted that the petitioners will not abscond rather will co-operate in the investigation.

7. The learned APP opposes the prayer for anticipation bail application of the petitioners.

8. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rafiganj P.S. Case No. 500 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**9. Accordingly, the instant anticipatory bail application stands allowed.**

**(Satyavrat Verma, J)**

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