

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33034 of 2024

Arising Out of PS. Case No.-728 Year-2023 Thana- SONEPUR District- Saran

- 1. Pappu Chaudhary son of Bindeshwar Chauhary Vill- Fakrabad, Ps- Sonapur Dist- Saran
- 2. Ravi Kumar son of Bindeshwar Chaudhary Vill- Fakrabad, Ps- Sonapur Dist- Saran
- 3. Rubi Devi wife of Pappu Chaudhary Vill- Fakrabad, Ps- Sonapur Dist- Saran
- 4. Rekha Devi wife of Arjun chaudhary Vill- Fakrabad, Ps- Sonapur Dist- Saran
- 5. Phuljhari Devi wife of Bindeshwar Chaudhary Vill- Fakrabad, Ps- Sonapur Dist- Saran
- 6. Geeta Devi wife of Jogi Chaudhary Village- Uttari Singahi Ps- Paroo Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46913 of 2024

Arising Out of PS. Case No.-728 Year-2023 Thana- SONEPUR District- Saran

Arjun Chaudhary S/O Bindeshwar Chaudhary R/O Village Fakrabad, P.S. Sonapur, Distt-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 33034 of 2024)
For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP
(In CRIMINAL MISCELLANEOUS No. 46913 of 2024)
For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-09-2024 Heard Mr. Nalin Kumar, learned counsel for the



petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Sonapur P.S. Case No. 728 of 2023, F.I.R. dated 07.08.2023 registered for the offences punishable under Sections 498A, 304(B)/34 of the Indian Penal Code.

3. According to prosecution case, the sister of the informant was found dead in the hospital and he suspects that all the F.I.R named accused persons have murdered his sister due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedent and they have been falsely implicated in the present case as the petitioners are close relative of the husband of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. He further submits that it has come in the investigation that daughter of the victim has falsely stated that doors were locked inside and the same was open by the grand-mother of the deceased and they found that the deceased was hanging in the room.

5. The petitioner nos. 1 and 2 are brother-in-law, petitioner nos. 4 and 5 are 'gotni' and petitioner no. 6 is married



sister-in-law (*nanad*) and it has also come in the investigation that they are living separately and co-accused persons, namely, Mukesh Choudhary and Anil Choudhary has been granted anticipatory bail vide order dated 02.04.2024 in Cr. Misc. No. 16859 of 2024.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

7. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Chapra in connection with Sonapur P.S. Case No. 728 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court



below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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