

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32745 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- BASOPATTI District- Madhubani

1. Fulo Devi Wife of Pachkauri Yadav R/O Vill.- Panchratna, P.S.- Basopatti, Dist.- Madhubani.
2. Babita Devi Wife of Ram Dayal Yadav R/O Vill. Blat, P.S.- Basopatti, Dist.- Madhubani.
3. Anita Devi Wife of Mithilesh Kumar @ Mithilesh Yadav R/O Vill. Nawtol Ghorabanki, P.S.- Basopatti, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2024

Heard the parties.

2. The petitioners apprehend their arrest in connection with Basopatti P.S. Case No. 195 of 2023 for the offence registered under section 302, 201, 34 of the I.P.C. lodged on 06.09.2023 by the informant, Pitambari Devi.

3. As per the prosecution story, the informant who is the mother of the minor girl alleged that she was married to Pramod Yadav but was always beaten and subsequently forced to leave the home. She came to know later that her daughter has been killed by the father and the family members are also its accomplice. Upon reaching the cremation place found the body already having been consigned to flames. Accordingly, the F.I.R.

4. Learned counsel for the petitioners submits that



the main allegation is against Pramod Yadav, the husband of the informant who firstly tortured the lady and later the allegation is of killing his minor daughter and even before the mother could see the dead body, the mortal remains were consigned. The further submission is that these three petitioners are married aunts (fua), living in their respective in-laws house, having no role to play and only because of family association, implicated.

5. Learned APP opposes the prayer stating that the allegation of killing the daughter is on Pramod Yadav and the role of these petitioners cannot be ignored.

6. Though, the allegation is there, mainly it is the Pramod Yadav who is responsible for this act, as alleged in the F.I.R., these three petitioners are married lady, F.I.R. lodged, will be facing the trial.

7. Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhubani in connection with Basopatti P.S. Case No. 195 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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