

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37197 of 2024

Arising Out of PS. Case No.-335 Year-2023 Thana- MAHARAJGANJ District- Siwan

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1. Most. Naina Kunwar @ Naina Kuwar Wife of Late Rameshwar Ram
 2. Arti Kumari Daughter of Late Rameshwar Ram
- All are VILLAGE - BADAHIYA TOLA P.S. - MAHARAJGANJ,
DISTRICT - SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2024 Heard learned counsel for the petitioners as well as
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), 201, 34 of the IPC in connection with Maharajganj P.S. Case No.335 of 2023.

3. The learned counsel submits that petitioners being mother-in-law and married sister-in-law of the deceased have been falsely implicated in the instant case by the informant with general and omnibus allegation when informant is not an eyewitness to the occurrence.

4. It is next submitted that daughter of the informant was married to Prem Kumar Ram, son of petitioner no.1 in 2017



and after marriage the accused persons started demanding rupees four lakhs and a golden chain worth rupees fifty thousand and for non-fulfillment of the demand the victim was tortured and on 27.11.2023, the son-in-law informed about the death of her daughter. Accordingly, the informant came to the place of occurrence.

5. It is submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that the allegations are general and omnibus in nature. It is further submitted no doubt presumption in law is against the accused persons, but then the husband is in custody and whenever any such occurrence takes place the entire family members are implicated in a mechanical manner with general and omnibus allegation.

6. The learned APP opposes the anticipatory bail application.

7. 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 Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Additional Chief
Judicial Magistrate,I, Siwan in connection with Maharajganj
P.S. Case No.335 of 2023, subject to the conditions laid down
under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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