

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40054 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- BANSHI District- Jehanabad

1. Ramdhyan Rajak Son of Ramjeevak Rajak R/O Village- Mali, P.S.- Banshi, Dist.- Arwal.
2. Juli Devi @ Juli Kumari Wife of Raju Rajak @ Surendra Rajak R/O Vill. Mali, P.S.- Banshi, Dist.- Arwal
3. Raju Rajak @ Surendra Rajak Son of Ramdhyan Rajak R/O Vill. Mali, P.S.- Banshi, Dist.- Arwal
4. Sanjeet Rajak @ Sanjeet Kumar Rajak Son of Surendra Rajak R/O Vill.- Siyarahi Mathia, P.S.- Konch, Dist.- Gaya
5. Ranjit Rajak @ Ajit Rajak Son of Surendra Rajak R/O Vill.- Siyarahi Mathia, P.S.- Konch, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary
For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 09-09-2024 1. Heard learned counsel for the petitioners and 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, 120(b)/34 of the Indian Penal Code.
3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Rajak Raj Kumar in the year 2023, after marriage the accused persons



were demanding chain and a motorcycle, further the informant came to know that for non fulfilment of the demand, his daughter was poisoned to death on which he called and talked to Juli (Sister-in-law of the deceased) who informed that victim was ill and asked him to go to Jehanabad where she was being treated, accordingly, he reached the matrimonial home of his daughter where he was informed that she has been poisoned to death and Chandan has taken the body for disposal and the dead body could not be found.

4. The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the instant case being father-in-law, sister-in-law and brothers of sister-in-law (*gotni*) of the deceased. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of demand of dowry against the petitioners are general and omnibus in nature.

5. It is further submitted that the informant in order to give a serious colour to the case alleges that he went to the matrimonial home when he did not find the body of the deceased and he was informed that the dead body of his daughter was taken by Chandan for disposal when Juli on phone had informed the informant to go to Jehanabad where the victim



was under treatment but the informant instead of going to Jehanabad went to the matrimonial home and thus did not find the body. It is also submitted that the post-mortem of the dead body was conducted by the Doctor and the Doctor found no external or internal injury and the viscera was preserved. It is further submitted that whenever any dispute arises in between the husband and the wife, the entire family members are implicated in a mechanical manner with general, omnibus and ornamental allegations. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. The learned APP for the State 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 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 A.C.J.M-1st, Arwal in connection with Banshi P.S. Case No. 03 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



8. However, it is made clear that in the event if the investigating officer of the case files an application before the learned trial court bringing to its notice that petitioners despite giving assurance to this Court are not cooperating in the investigation in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

9. **The application stands allowed.**

(Satyavrat Verma, J.)

Sudhanshu/-

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