

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47557 of 2024**

Arising Out of PS. Case No.-19 Year-2023 Thana- Piplawa District- Patna

1. Sukhdev Chaudhary @ Sukhdeo Chaudhary Son of Late Mangal Chaudhary R/O Vill.- Bela Karimanpur, P.S.- Naubatpur, District- Patna
  2. Savita Devi @ Sabitri Devi Wife of Sukhdev Chaudhary R/O Vill.- Bela Karimanpur, P.S.- Naubatpur, District- Patna
  3. Sunil Chaudhary Son of Sukhdeo Chaudhary R/O Vill.- Bela Karimanpur, P.S.- Naubatpur, District- Patna
  4. Anil Chaudhary Son of Sukhdeo Chaudhary R/O Vill.- Bela Karimanpur, P.S.- Naubatpur, District- Patna
  5. Ramuna Devi @ Munna Devi Daughter of Sukhdev Chaudhary Wife of Nasiban Chaudhary R/O Vill.- Islampur, P.S.- Masaurhi, Dist.- Patna
- ... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoranjan Kumar, Advocate  
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

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

2      27-08-2024                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend their arrest in connection with Piplawa P.S. Case No. 19 of 2023 for the offence registered under Sections 302, 304(B), 201 and 498/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submit that the petitioners are persons with clean antecedent and the informant alleges that his sister was married to Suraj Choudhary in the year 2014. However, after marriage the accused persons including the petitioners started demanding a motorcycle and



Rs. 1,00,000/- and for non-fulfilment of the demand, the victim was tortured, next alleges that from the wed-lock, two children were born, further the husband of the deceased even tried to kill his sons and even threw them in Punpun river and assaulted the victim making her unconscious. It is further alleged that the deceased's husband was having extra marital relationship with some one. It is also alleged that the informant on 10.07.2023 went to meet his sister but did not find her and on enquiry, came to know that his sister was killed by injecting her with poisonous injection and despite his best endeavor was not able to locate the dead body of the victim.

4. Learned counsel for the petitioners submits that the petitioners along with the husband of the deceased have been falsely implicated in the instant case by the informant for ulterior motive to extract money. It is further submitted that the marriage was nine years old and in nine years of marriage, no case ever came to be instituted either by the informant or the deceased alleging torture for dowry. It has also been submitted that two children were born out from the wed-lock, who are residing with their father. It is next submitted that the deceased started suffering from breathlessness and became anemic admit and was under treatment, the deceased on account of her ill



health was taken to Shri Balaji Health Care Hospital, Naubatpur on 23.06.2023 and the hospital referred her to AIIMS/PMCH, thereafter, the deceased was taken to AIIMS but on account of rush, she could not be admitted, hence was taken to SAR hospital near AIIMS where she died during the course of treatment on 23.06.2023 as would manifest from the dead body carrying certificate issued by the hospital on 23.06.2023 (Annexure-P/3 series).

5. Learned counsel for the petitioners thus submits that the sister of the informant died on 23.06.2023 and was cremated in the presence of the informant and his family members including the family members of the petitioners, as would manifest from the photograph of the funeral (Annexure-2). It is next submitted that the deceased died on 23.06.2023 but the FIR came to be instituted on 24.07.2023 based on complaint dated 18.07.2023 alleging that the informant went to meet his sister on 10.07.2023 but did not locate her. It is also submitted that it absolutely does not stand to reason that if the informant on 10.07.2023 came to know that his sister could not be located then why the complaint came to be instituted after the delay of seven days. It is next submitted that the informant was aware of the fact that his sister died on 23.06.2023 during the



course of treatment and he after participating in the funeral function instituted the instant complaint case based on which the FIR came to be instituted. It is also submitted that the conduct of the accused persons should be appreciated, as they took the victim to hospital for treatment. It is next submitted that the petitioners will not abscond rather they will cooperate in the investigation.

6. Learned APP appearing on behalf of the State opposes the prayer for anticipatory bail.

7. Considering the submissions made by the learned counsel appearing on behalf of the petitioners, 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 Additional Chief Judicial Magistrate-VI, Danapur, Patna in connection with Piplawa P.S. Case No. 19 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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