

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52117 of 2024**

Arising Out of PS. Case No.-78 Year-2023 Thana- TISIAUTA District- Vaishali

1. Muneshwari Devi Wife of Tipan Ray R/O Vill.- Milki Jasparha, P.S.- Tisiotta, Dist.- Vaishali
2. Rita Kumari Daughter of Tipan Ray R/O Vill.- Milki Jasparha, P.S.- Tisiotta, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      21-08-2024                      Heard Mr. Sabal Kumar Jha, learned counsel for the petitioners as well as Mr. Rajesh Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Tishiota P.S. Case No. 78 of 2023, F.I.R. dated 01.09.2023 for the offences punishable under Section 304B of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. According to prosecution case, all the accused persons including these petitioners have assaulted and murdered the daughter of the informant due to non-fulfillment of demand of dowry.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on the ground that the petitioner no. 1 is mother-in-law and petitioner no. 2 is sister-in-law of the deceased. He further submits that it appears from the F.I.R that the informant has informed that the deceased has committed suicide herself. He further submits that the husband of the deceased is in judicial custody and the father-in-law of the deceased is also in custody and facing trial bearing S.T. No. 118 of 2024.

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

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and there is no specific allegation of assault or demand of dowry against these petitioners, let the petitioners, above named, in the event of 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 5<sup>th</sup>, Vaishali at Hajipur in connection with Tishiota P.S. Case No. 78 of



2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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)**

Vanisha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

