

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56893 of 2024

Arising Out of PS. Case No.-1087 Year-2023 Thana- SHASTRINAGAR District- Patna

1. KIRAN DEVI WIFE OF PRAMOD MISHRA
2. RIMJHIM MISHRA @ RIMJHIM KUMARI DAUGHTER OF PRAMOD MISHRA
BOTH ARE RESIDENTS OF VILLAGE - GANGWARA, P.S. - RUNNISAI DPUR, DISTRICT - SITAMARHI, BIHAR, PRESENTLY RESIDING AT HOUSE NO. 35, ROAD NO. 1A, MOHALLA - SHIVPURI, P.S. - SHASTRI NAGAR, DISTRICT PATNA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 76898 of 2024

Arising Out of PS. Case No.-1087 Year-2023 Thana- SHASTRINAGAR District- Patna

Vikas Mishra @ Vikash Kumar Mishra Son of Pramod Mishra Resident of Village- Gangwara, PS- Runnisaidpur, District- Sitamrhi, Bihar, presently residing at House No. 35, Road No. 1A, Mohalla- Shivpuri, P.S.- Shastri Nagar, Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56893 of 2024)

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 76898 of 2024)

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 02-12-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail

apprehending their arrest in connection with Shastri Nagar P.S.



Case no.1087 of 2023 registered under sections 306, 323, 341, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that he received information about his daughter having hung herself and having died. It is stated that on receiving this information, he reached her sasural. The informant states that his daughter was married to Vikas Mishra. The accused persons including the petitioners herein were regularly demanding dowry and used to torture and assault her for non-fulfillment of the same.

4. Learned counsel for the petitioners submits that the petitioners are the mother-in-law, husband's sister and husband of the deceased. They have been falsely implicated in the case. The allegations of demand of dowry and torture are all false and concocted and it is for this reason, the FIR was registered under section 306 of the Indian Penal Code besides other sections. The petitioners Kiran Devi and Rimjhim Mishra @ Rimjhim Kumari are ladies and undertake to cooperate in the trial. The petitioners have no criminal antecedent. It is submitted that co-accused Pramod Mishra who happens to be father-in-law of the deceased has been enlarged on regular bail vide order dated 2.4.2024 passed in Cr. Misc. no.20019 of 2024.



5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR together with the material that has transpired in course of investigation and specially the petitioner Vikas Mishra @ Vikash Kumar Mishra being the husband of the deceased, the Court is not inclined to enlarge the said petitioner Vikas Mishra @ Vikash Kumar Mishra on bail and the application is rejected.

7. The petitioner Vikas Mishra @ Vikash Kumar Mishra is directed to surrender in the learned Court below within a period of four weeks.

8. In view of facts and circumstances of the case, it is directed that the other two petitioners namely Kiran Devi and Rimjhim Mishra @ Rimjhim Kumari who are ladies being the mother-in-law and sister-in-law (*nanad*) of the deceased, the allegations being general and omnibus in nature, these petitioners also not having any criminal antecedent and grant of regular bail to co-accused Pramod Mishra vide order dated 2.4.2024 passed in Cr. Misc. no.20019 of 2024 in the event of their arrest or surrender before the learned Court below within a period of four weeks, are directed to be released on anticipatory bail in



connection with Shastri Nagar P.S. Case no.1087 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IX, Patna.

(Partha Sarthy, J)

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