

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56678 of 2024

Arising Out of PS. Case No.-740 Year-2023 Thana- MADHAURAH District- Saran

1. Mukesh Kumar Ram @ Mukesh Ram S/o- Late Chhedi Ram Village- Roop Rahimpur PS- Marhowrah Dist-Saran
2. Upendra Ram son of Late Chhedi Ram Bihar
3. Jitendra Ram son of Late Chhedi Ram Village- Roop Rahimpur PS- Marhowrah Dist-Saran
4. Nitu Devi wife of Mukesh Kumar Ram @ Mukesh Ram Village- Roop Rahimpur Ps- Marhowrah Dist-Saran
5. Priyanka Devi wife of Mukesh Kumar Ram @ Mukesh Ram Village- Roop Rahimpur Ps- Marhowrah Dist-Saran
6. Chhathiya Devi @ Musmat Chhathiya Devi wife of Late Chhedi Ram Village- Roop Rahimpur Ps- Marhowrah Dist-Saran
7. Rina Devi wife of Jitendra Ram Village- Roop Rahimpur PS- Marhowrah Dist-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-09-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Marhowrah PS case no. 740 of 2023, disclosing offences punishable under Sections 302, 201/34 of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that informant's niece namely Nitu Devi was married



with co-accused Sikandar Ram, who had illicit relationship with his sister-in-law (Bhabhi) and when the deceased protested, the petitioners and other family members used to abuse and assaulted her, for which, several round of re-conciliation proceeding/ panchayati was held. On 29.11.2023 in the morning, petitioner no. 2 Upendra Ram informed the informant that his niece's heart was sinking, upon which, he reached the matrimonial home of his niece and saw her dead body. Other family members were not present and had left the house. The informant has alleged that petitioners and others have killed his niece by pressing her neck and after cremation of the dead body, the F.I.R. was lodged on 30.11.2023.

4. Learned Counsel for the petitioners submits that petitioner no. 1 to 3 are brothers-in-law, petitioner no. 4, 5 and 7 are sisters-in-law and petitioner no. 6 is the mother-in-law of the deceased. Learned counsel further submits that there is general and omnibus allegation against the petitioners and deceased has died due to heart failure, the informant participated in the cremation of the dead body and after cremation, the present F.I.R. has been lodged.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that



F.I.R. has been lodged after cremation of the dead body, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, 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 learned A.C.J.M.-1st, Chapra, Saran in connection with Marhowrah PS case no. 740 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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