

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57069 of 2023

Arising Out of PS. Case No.-402 Year-2022 Thana- SIMRI District- Buxar

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1. LALMUNIYA DEVI @ LALMUNI DEVI WIFE OF BHUNESHWAR BIND RESIDENT OF VILLAGE - ABHILAKH YADAV KE DERA, P.S. - SIMRI, DISTRICT - BUXAR
 2. DINESH BIND SON OF BHUNESHWAR BIND RESIDENT OF VILLAGE - ABHILAKH YADAV KE DERA, P.S. - SIMRI, DISTRICT - BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-01-2024 Heard learned counsel for the petitioners and learned APP for the State and perused the case diary.

2. The petitioners have prayed for bail in a case registered for the offence punishable under sections 304-B/34 of the Indian Penal Code.

3. As per allegation in the FIR, it is a case of cruelty and dowry death within six months of marriage.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner no. 1 is mother-in-law and petitioner no. 2 is husband of the deceased. They have been falsely implicated in this case. They have never



demanded any thing from the deceased or her family members. Petitioner no. 1 is residing separately and she has no concern with mess and business of the deceased. She is old lady of 60 years. Both are languishing in judicial custody since 2.11.2022.

5. The application for bail is opposed by learned APP for the State and submitted that petitioner no. 2 is husband of the deceased and sole responsibility to take care of wife is against him. She died in her matrimonial home within seven years of marriage. Several black bruises and injury mark were present over the body of deceased.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner no. 1 on bail. Petitioner no. 1 is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Buxar in connection with Simari P.S. Case No. 402 of 2022.

7. So far as petitioner no. 2 is concerned, he is husband of the deceased and the sole responsibility to take



care of wife is upon husband and not against his family members, this Court is not inclined to enlarge the petitioner no. 2 on bail and, as such, his prayer for bail stands rejected.

8. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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