

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59138 of 2023

Arising Out of PS. Case No.-431 Year-2022 Thana- NARHATT District- Nawada

1. DUKHANI DEVI @ DUKHANTI DEVI wife of naresh Chauhan @ Kranti @ Kranti Chauhan Village- Lacchu Bigah Ps- Sitamarhi Dist- Nawada
2. Naresh Chauhan @ Kranti @ Kranti Chauhan son of Late Rajendra Chauhan Village- Lacchu Bigah Ps- Sitamarhi Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-01-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code.

3. All the F.I.R. named accused persons including these petitioners, on non-fulfillment of demand of dowry, in furtherance of the common intention are said to have committed murder of the daughter of the informant after assaulting.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No such occurrence as alleged ever took place. Petitioners are mother-in-law and father-in-law of the deceased, respectively. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the husband of the deceased is already in judicial custody. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as husband of the deceased is already in judicial custody and there is no specific overt act against the petitioners, let the above named petitioners, be release on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Narhat P.S. Case No. 431 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



7. The learned Court below is directed to verify the fact whether the husband of the deceased is in judicial custody or not and if it is found that he is not in judicial custody, the bail bonds of the petitioners shall not be accepted.

8. Accordingly, the application stands disposed of.

(Anjani Kumar Sharan, J)

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