

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65730 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- KAJRAILI District- Bhagalpur

1. Jaimla Devi @ Jai Maliya Devi Wife of Bahadur Das @ Bahardu Marijan Resident of Village- Vishanrampur,P.S.- Kjaraili, Dist- Bhgalpur
2. Inder Das Son of Bahadur Das @ Bahadur Marijan Resident of Village- Vishanrampur,P.S.- Kjaraili, Dist- Bhgalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 19-11-2024 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Kajraili P.S. Case No. 40 of 2024 instituted for the offence under Sections 304B/34 of the Indian Penal Code.

3. Prosecution case in short is that daughter of the informant has committed suicide due to torture on account of non-fulfillment of the demand for dowry by her in-laws.

4. It has been submitted on behalf of the petitioners that the petitioner are in custody since 07-06-2024, having clean antecedent.

5. It has been further submitted by the petitioners'



counsel that petitioners have been falsely implicated in the present case. Petitioner No. 1 is the mother-in-law of the deceased whereas petitioner No. 2 is the brother-in-law of the deceased. It is submitted that husband of the deceased is already in custody. There is no specific allegation against the petitioners, rather allegation is general and omnibus in nature. Petitioners have no concern with the alleged occurrence. Police after investigation has already submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is submitted that cause of death is opined due to asphyxia and shock due to pressure and compression of neck. Referring to paragraph No. 48 of the case diary, it is submitted that co-accused, Bijuli Kumari @ Anita Kumari was found in an objectionable condition with one Rohit Kumar by the deceased and deceased threatened her to disclose their illicit relationship with her husband due to which Bijuli Kumari and Rohit Kumar strangled her till death by means of pillow.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, there being no involvement of the petitioners in the alleged occurrence and charge sheet being submitted, this Court is inclined to grant bail



to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kajraili P.S. Case No. 40 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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