

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78002 of 2023

Arising Out of PS. Case No.-541 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Baby Devi W/O Yogi Sah Village- Mahangua, Ps. Muffasil, Dist. East Champaran.
 2. Rajan Kumar S/O Yogi Sah Village- Mahangua, Ps. Muffasil, Dist. East Champaran.
 3. Puspa Devi W/O Rajan Kumar Village- Mahangua, Ps. Muffasil, Dist. East Champaran.
 4. Chandan Kumar S/O Yogi Sah Village- Mahangua, Ps. Muffasil, Dist. East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate.

For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Muffasil P.S. Case No. 541 of 2023 dated 30.07.2023 registered for the offence punishable under Sections 304B, 201 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the



co-accused persons are alleged to have committed the murder of the daughter of the informant due to non-fulfillment of demand of dowry.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. It is further submitted that the husband of the deceased Rahul Kumar is already in custody. Learned counsel has further submitted that the petitioner no.1 is the mother-in-law, the petitioner no.2 is the *bhaisur*, the petitioner no.3 is sister-in-law (*gotani*) and the petitioner no.4 is the *devar* (brother-in-law) of the deceased. It is further submitted that the daughter of the informant Susma has died due to severe abdominal pain, and after her death information was given but at the instance of local enemies, the informant who is the mother of the deceased, has lodged the present F.I.R. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioners, let the above named petitioners, in the



event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran, Motihari in connection with Muffasil P.S. Case No. 541 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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