

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.869 of 2024

Arising Out of PS. Case No.-726 Year-2023 Thana- PURNEA SADAR District- Purnia

1. Maya Devi Wife Of Ranjit Kumar Mahaldar Resident Of Village - Adhang, Mahaldhar Tola, Ward No.4, P.S. - Jalalgarh, District - Purnia
2. Guriya Devi Wife Of Kamal Dev Sharma Resident Of Village - Lalganj Ward No.6, P.S. - K. Hat, District - Purnia

... .. petitioners/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr.Manoj Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2024 Heard Mr. Manoj Kumar, learned counsel for the petitioners and Mr. Arun Kumar Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sadar (Muffasil) P.S. Case No. 726/2023, F.I.R. dated 22.08.2023 for the offences punishable under Sections 304(B)/506/34 I.P.C.

3. According to prosecution case, the daughter of the informant had solemnized marriage with one Kishan Kumar. After marriage, due to demand of dowry and torture done by the family of the accused Kishan Kumar, the daughter of the informant committed suicide by hanging



herself.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated merely on the basis that the petitioners are married sisters-in-law of the deceased. He further submits that from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act and demand of dowry and there is general and omnibus allegations on the accused persons including these petitioners. He further submits that these petitioners are living separately from the family of the deceased and apart from that the husband of the deceased namely Kishan Kumar is in judicial custody since 23.08.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, they have got clean antecedent and there is no allegation of assault or overt act against these petitioners and they are married sisters-in-law of the deceased and the husband of the deceased is in judicial custody, let the petitioners, above named, in the event of arrest or surrender before the court



below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnia in connection with Sadar (Muffasil) P.S. Case No. 726/2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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