

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2877 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- BANGAWON District- Saharsa

1. Kaushlya Devi W/o Madan Kamat R/o vill - Bangaon, P.S. - Bangaon, Dist. - Saharsa
2. Madan Kamat Son of Parmeshwar Kamat R/o vill - Bangaon, P.S. - Bangaon, Dist. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Singh, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with
Bangaon P.S. Case No. 111 of 2023, lodged on 19.09.2023
under Sections 304-B, 120-B of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against 6 named accused persons including the present
petitioners against whom there is an allegation that due to
dowry, the killing of the informant's sister has been made by the
accused persons.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence.



Counsel also submits that the petitioners are old aged persons who are mother in law and father in law of the deceased. Counsel further submits that the husband of the deceased is in custody since 19.09.2023.

5. Learned counsel for the petitioner further submits that there is general and omnibus allegation and the antecedent of the petitioners are clean and they are in custody since 20.09.2023 and both are aged more than 60 years.

6. Learned APP for the State opposes the prayer for bail of the petitioners.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Saharsa in connection with Bangaon P.S. Case No. 111 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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