

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6365 of 2024

Arising Out of PS. Case No.-71 Year-2023 Thana- RAJNAGAR District- Madhubani

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1. Shanti Devi Wife of Charitar Mandal @ Chalitar Mandal Resident of Ward No. - 05, Gauri Meran, P.S.- Ram Nagar, District - Madhubani.
 2. Suresh Mandal Son of Charitar Mandal @ Chalitar Mandal Resident of Ward No. - 05, Gauri Meran, P.S.- Ram Nagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-04-2024 Heard Mr. Bijendra Kumar Singh, learned counsel

for the petitioners and Mr. Jitendra Kumar Singh, learned APP

for the State.

2. The petitioners are apprehending arrest in connection with Raj Nagar P.S. Case No. 71 of 2023 instituted under Section 304(B), 302/34 of the Indian Penal Code lodged on 28.3.2023 by the informant, Kamlu Mandal.

3. As per the FIR, the sister of the informant was married to the petitioner no.2 but was tortured for dowry and on 26.3.2023, he got information about her death. Accordingly, the FIR.



4. In this case, a coordinate bench had called for the case diary on 20.2.2024 and the same has been received. In paras-39 and 40, the independent witnesses namely Gangai Thakur and Md. Annas Ansari have made statements that the petitioner no.2 was away in Mumbai. On that fateful day, the lady had an argument with the neighbour on the issue of their respective children. Her mother-in-law did not sided with her. Infuriated, she fought with the mother-in-law and later, consumed poison.

5. Learned APP has gone through the case diary and submitted the said facts.

6. Learned counsel for the petitioners submit that the petitioner no.1 is the mother-in-law, living separately while the petitioner no.2 admittedly was in Mumbai and upon knowledge of death of his wife, reached the place. He further submits that they are ready to cooperate in the investigation and will be diligently appear in trial.

7. Having gone through the facts of the case as also the contents of the case and taking into account the aforesaid facts that has/have come in the case diary, FIR lodged, they will be facing the trial, for the grant of relief they sought for, this Court is inclined to extend them the privilege of anticipatory bail.



8. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Raj Nagar P.S. Case No. 71 of 2023 to the satisfaction of learned A.C.J.M.-1st, Madhubani, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

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



(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 their bail bonds.

(Rajiv Roy, J)

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