

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3357 of 2024

Arising Out of PS. Case No.-258 Year-2023 Thana- LALGANJ District- Vaishali

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1. Sangeeta Kumari Wife of Santosh Paswan Resident of Village-Shahdullahpur, PS- Lalganj, District - Vaishali
 2. Gaytri Devi Wife of Late Bhikhari Paswan Resident of Village-Shahdullahpur, PS- Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Lalganj P.S. Case No. 258 of 2023, registered on 17.07.2023 for the offences under Sections 304B/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners are made accused for causing dowry death of the daughter of the informant along with other co-accused persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel further submits that the petitioners are not directly related to the deceased as petitioner no. 1 is the



aunt of the husband of the deceased whereas petitioner no. 2 is the grandmother by agnatic relationship of the husband of the deceased, and they do not belong to the family of the husband of the deceased. Learned counsel further submits that from the FIR it is also evident that the occurrence took place on 06.06.2023 and despite getting the information immediately the FIR was lodged only on 17.07.2023 without any explanation. This shows after thought and deliberation on part of the informant in falsely implicating the petitioners. At the time of alleged occurrence neither the petitioners were present at the place of occurrence nor they have any concern with the family matters of the deceased or her husband. Moreover, there is general and omnibus allegation against the petitioners, who are not having any criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners. Learned APP submits that the daughter of the informant was strangled to death by the petitioners along with other co-accused persons.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact petitioners are not directly related and the allegations are vague and non-specific and further considering the



possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- VIIth, Vaishali at Hajipur/concerned court in connection with Lalganj P.S. Case No. 258 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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