

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13831 of 2025

Arising Out of PS. Case No.-460 Year-2023 Thana- BAHERA District- Darbhanga

1. Sangeeta Devi @ Sangita Devi W/O Late Vipul Lal Dev R/O Village-Ufardaha, Police Station- Bahera, District- Darbhanga.
2. Kundan Kumar Dev @ Kundan Lal Dev S/O Vipul Lal Dev R/O Village-Ufardaha, Police Station- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-02-2025 Heard Mr. Ashok Kumar Prasad, learned counsel

for the petitioners and Mr. Satya Nand Shukla, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Bahera P.S. Case No. 460 of 2023, F.I.R. dated
17.12.2023 for the offences punishable under Sections 306, 448
and 34 of the Indian Penal Code.

3. According to prosecution case, in order to
solemnize the marriage of their son namely Vivek Kumar, with
the informant's daughter, the petitioners and other co-accused
persons demanded dowry due to which the informant's daughter
entered a depressive state and committed suicide.

4. Learned counsel for the petitioners submits that
petitioners have clean antecedent and they have falsely been



implicated in the present case. The allegation levelled against the petitioners are false and fabricated and they have been made accused in the present case on the ground that petitioner no. 1 is the mother-in-law and petitioner no.2 is the brother-in-law of the deceased. He further submits that similarly situated co-accused person, namely, Vipul Lal Dev has been granted anticipatory bail by this Court vide order dated 03.07.2024 in Cr. Misc No. 41126 of 2024 and co-accused, namely, Pradeep Kumar Deo, Azad Kumar Dev and Abha Devi have also been granted anticipatory bail by this Court vide order dated 20.09.2024 in Cr. Misc No. 63673 of 2024.

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

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedents and the co-accused persons have been granted anticipatory bail by this Court, 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) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipur, Darbhanga in



connection with Bahera P.S. Case No. 460 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 their absence on two consecutive dates without sufficient reason, their 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 have concealed their 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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