

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16810 of 2025

Arising Out of PS. Case No.-565 Year-2024 Thana- CHANDI District- Nalanda

1.

Sahdev Bind @ Sahdev Jamadar @ Sahdev Jamedar Son of Late Ramaishwar Jamadar Resident of Village - Mokimpur, P.S. - Chandi, District - Nalanda
2.

Sushila Devi Wife of Sahdev Bind @ Sahdev Jamadar Resident of Village - Mokimpur, P.S. - Chandi, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

202-04-2025

Heard Mr. Binod Kumar Mishra, learned counsel for the petitioners as well as Mr. Mritunjay Kumar Nirala, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chandi P.S. Case No. 565 of 2024, F.I.R. dated 14.10.2024 for the offences punishable under Sections 80(2) and 238(C) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, informant's daughter, namely, Gauri Kumari got married with one Sunil Kumar on 12.07.2024 and after marriage her in-laws started demanding Rs. 2 lakhs, motorcycle and gold jewellery. The accused persons started assaulting her and also tried to kill her

several times. After some day, the villagers informed the informant that his daughter is killed by hanging and her body is being carried away to hide.

4. Learned counsel for the petitioners submits that petitioners are having clean antecedent and they have falsely been implicated in the present case merely on the ground that the petitioners are in-laws of the deceased. Although, the petitioners are named in the F.I.R., but from the perusal of the F.I.R. it appears that there is no specific allegation against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners and the son of the petitioners, who happens to be the husband of the deceased and he is in custody since 03.11.2024

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

6. Considering the aforesaid facts that the petitioners are having clean antecedent. There is no specific allegation in the F.I.R. against them and the son of the petitioners, who happens to be husband of the deceased, is in custody since 03.11.2024, 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 1st Class, Hilsa (Nalanda) in connection with Chandi P.S. Case No. 565 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of B.N.S.S., 2023 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 tamper 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.)

Jyoti Kumari/-

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