

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68611 of 2024

Arising Out of PS. Case No.-167 Year-2024 Thana- JANDAHA District- Vaishali

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1. Rekha Devi @ Lakho Devi @ Lakhiya Devi W/o Awadhesh Kumar R/o vill - Rampur Ramhar, P.S. - Jandaha, Distt. - Vaishali
 2. Kamlesh Kumar @ Kamlesh Paswan S/o Awadhesh Kumar R/o vill - Rampur Ramhar, P.S. - Jandaha, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 17-01-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with
Jandaha P.S. Case No.167 of 2024 instituted under Sections
304(B) and 34 of the Indian Penal Code.

3. As per prosecution case, the daughter of the
informant was married to the son of petitioner no.1 about 12
years ago and they were blessed with three children out of their
wedlock. The allegation is that the husband of the deceased
including these petitioners killed the deceased due to non-
fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case. Petitioners are mother-in-law and brother-in-law (*bhaisur*) of the deceased, respectively. He further submits that the marriage of the victim was solemnized about 12 years ago with the son of petitioner no.1 and from their wedlock, they have been blessed with three children and earlier there was no complaint against the petitioners and they never demanded dowry or tortured the victim. Petitioners were living separately since long and they have no concern with the family affairs of the deceased and her husband. The postmortem report shows that the death was caused due to the hanging. It appears that it is a case of suicide by the victim. After investigation, the charge-sheet has been filed against the petitioners. It is further submitted that the husband of the deceased has already been granted regular bail by this Court vide order dated 18.12.2024 in Cr.Misc.No.74899 of 2024. The petitioners have no criminal antecedent and they undertake to cooperate in the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks



from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha P.S. Case No.167 of 2024, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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