

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86955 of 2024

Arising Out of PS. Case No.-190 Year-2024 Thana- RANIYATALAB District- Patna

1. Sonari Devi W/O Late Ashok Paswan Resident of Village- Sariya, P.S. - Ranitalab, District- Patna.
2. Mantu Kumar @ Mintu Kumar Son of Late Ashok Paswan Resident of Village- Sariya, P.S. - Ranitalab, District- Patna.
3. Kajal Devi @ Kanchan Kumari Wife of Mantu Kumar Resident of Village- Sariya, P.S. - Ranitalab, District- Patna.
4. Niraj Kumar Son of Late Ashok Paswan Resident of Village- Sariya, P.S. - Ranitalab, District- Patna.
5. Kundan Kumar Son of Late Ashok Paswan Resident of Village- Sariya, P.S. - Ranitalab, District- Patna.
6. Dheeraj Kumar Son of Late Ashok Paswan Resident of Village- Sariya, P.S. - Ranitalab, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-01-2025 1. At the very outset, learned Counsel for the petitioners seeks permission to withdraw this application so far as petitioner no. 1, namely, Sonari Devi is concerned, in order to surrender before the learned District Court and seek regular bail.
2. Permission is granted.
3. This application, so far as petitioner no. 1 is concerned, is dismissed as withdrawn.



4. Heard learned Counsel for the petitioner no. 2 to 6 and learned Additional Public Prosecutor representing the State.
5. This application, for grant of anticipatory bail, arises out of Ranitalab Police Station Case No. 190 of 2024, dated 28.05.2024, registered for the offences punishable under Sections 304-B/201/34 of the Indian Penal Code.
6. The prosecution case, as per the First Informant Report, is that on 27.05.2024, at about 02 AM, the elder son of the informant received a phone call that the daughter of the informant is no more. On this, the informant reached the matrimonial house of her daughter at 04 AM, but no one was present in the house. The informant further state that the marriage of her daughter was solemnized with co-accused Mithun Kumar two years ago and a child has also born out of their wedlock. The informant further alleged that after the marriage, the petitioners and others used to demand a gold chain and due to non-fulfillment of the said demand, all the accused persons were torturing the daughter of the informant. The informant further alleged that the accused persons have killed his daughter and concealed her dead body.



7. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case with ulterior motive. He further submits that the deceased had committed suicide since her husband was suffering from tuberculosis and was undergoing treatment in IGIMS, Patna. He further submits that the petitioners are separate in mess and property and they have got no concern with the day to day life of the deceased and/or her husband. He further submits that from perusal of the First Information Report, it would be evident that the allegation of a gold chain as dowry is general and omnibus in nature. He further submits that the petitioner nos. 2, 4 to 6 are brothers-in-law of the deceased and petitioner no. 3 is the sister-in-law of the deceased.
8. On the other hand, learned Additional Public Prosecutor vehemently opposed the prayer for bail and submits that within two years of the marriage, the deceased was killed by the petitioners for demand of dowry.
9. Considering the fact that the petitioner nos. 2 to 6 are the brothers-in-law and sister-in-law (gotni) of the deceased, I am inclined to grant the petitioner no. 2 to 6 privilege of



anticipatory bail.

10. This application, so far as petitioner nos. 2 to 6 are concerned, is allowed.
11. Let the petitioner nos. 2 to 6, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur, Patna, in connection with Ranitalab Police Station Case No. 190 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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