

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5420 of 2015

Arising Out of PS.Case No. -44 Year- 2014 Thana -GOGRI District- KHAGARIA

1. Birendra Singh S/o Thakur Singh
2. Anjali Devi W/o Birendra Singh

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Murlidhar (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-02-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Gogri P.S. Case No. 44 of 2014 registered for the offences
punishable under Sections 304 B, 323/34 of the Indian Penal
Code.

Petitioner no. 1 is brother in law whereas petitioner
no. 2 is gotini of the deceased who died within seven years of her
marriage in mysterious circumstance and her dead body was
recovered. In post mortem examination, the cause of death of the
deceased was found asphyxia.

The contention on behalf of the petitioners is that
petitioners are residing separately from the husband of the

deceased and moreover, no specific overt-act has been attributed against the petitioners.

It would appear from perusal of the first information report that the marriage of the deceased had taken place six to seven years ago and no specific overt-act has been attributed against the petitioners.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall 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 the Chief Judicial Magistrate, Khagaria in Gogri P.S. Case No. 44 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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