

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12553 of 2015

Arising Out of PS.Case No. -101 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

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1. Ramjee Yadav
2. Dhanjee Yadav
3. Naga Yadav
4. Rohit Yadav All sons of Bhrigu Nath Yadav, resident of village- Baruna,
P.S.- Buxar (Ind.), District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha

For the Opposite Party/s : Mr. Satyendra Nr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 18-09-2015 The matter has been listed under the heading “For Orders on Office Notes”. Since the case diary has been received, this case is being heard on merits.

The petitioner no.4 being the husband of the victim and petitioner nos. 1 to 3 being the brother of petitioner no.4 are apprehending arrest in a case initially registered for the offences punishable under Sections 341, 323, 498A, 307 and 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act subsequently Section 304B of the IPC was also added.

The accusation is of killing the daughter of the informant after three years of the marriage for non-fulfillment of the dowry demand by causing burnt injury.

It is submitted by learned counsel for the petitioners that the victim received accidental burnt injury and thereafter she was provided medical assistance.

It is submitted by learned counsel for the APP that the accusation of demand of dowry is against the all the accused persons. The victim stated to the informant that all the accused persons caused burnt injury to the informant.

It is submitted by learned counsel for the petitioners that even assuming the statement of the informant that the victim conveyed the fact to the informant that all the accused persons poured kerosene oil, even then, the parents of the husband and other family members have not been sent for trial.

Considering the thrust of accusation against petitioner no.4, this Court is not inclined to grant anticipatory bail to him.

Let the learned court below consider the prayer for regular bail of the petitioner no.4 if he surrenders within a period of four weeks.

So far as petitioner nos. 1 to 3 are concerned, since they are brothers of the husband of the victim and the accusation against them is omnibus and general, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on

furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Buxar (Ind.) P.S. Case No. 101 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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