

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41761 of 2014

Arising Out of PS.Case No. -65 Year- 2014 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Ramashish Bhagat S/o Shivnan Bhagat
2. Jaikali Devi W/o Ramashish Bhagat
3. Pramod Kumar S/o Ramashish Bhagat
4. Sarswati Devi @ Kamalpati Devi D/o Ramashish Bhagat All Resident of
Village Raghunathpur, P.S. Kesariya, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 07-05-2015

Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Kesariya P.S. Case No. 65 of 2014 registered for the offence
under Sections-304(B), 201/34 of the Indian Penal Code.

Petitioner Nos. 1 & 2 are parents-in-law, petitioner
No. 3 is younger brother-in-law whereas; petitioner No. 4 is
unmarried sister-in-law of the deceased.

Certain facts are admitted. It is an admitted position
that the deceased died within seven years of her marriage and her
death was other than normal circumstances. There is allegation of
demand of dowry as well as torturing but petitioner Nos. 3 & 4
are junior members of their family and they were not going to be
benefited with the demand of dowry. So far as petitioner No. 2 is

concerned; she is a lady and there is nothing on the record to show that she had taken active part in the alleged crime.

Considering the aforesaid facts and circumstances as well as submission of the parties, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, let the petitioner Nos. 2, 3 & 4 named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Kesariya P.S. Case No. 65 of 2014 to the satisfaction of Chief Judicial Magistrate, East Champaran subject to conditions as laid down u/S 438(2) of the Cr. P.C.

So far as the petitioner No. 1 is concerned; his prayer for anticipatory bail stands rejected.

However, if the petitioner No. 1 surrenders in the court below within four weeks from the date of receipt/production of copy of order and seeks regular bail, his regular bail application shall be considered by the concerned court on its own merit without being prejudiced by this rejection order, particularly, keeping in mind that the husband of the deceased has already been sent to jail custody.

(Hemant Kumar Srivastava, J)

A.K.V./-

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