

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22883 of 2015

Arising Out of PS.Case No. -255 Year- 2014 Thana -SIWAN CITY District- SIWAN

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1. Rajesh Kumar Yadav @ Rajesh Yadav S/o Kishore Yadav
2. smt. Roshani Devi, @ Rashmi Devi W/o Rajkishore Yadav
3. Babloo Yadav @ Babloo Kumar Yadav S/o RajKishore Yadav All residents of Village/Mohalla - Laxmipur (Siwan Dhala), Siwan, P.S.- Siwan Town, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Indra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-09-2015 Learned counsel for the petitioners seeks permission to withdraw the application on behalf of petitioner no.2,as he has been arrested during the pendency of this application.

The application is dismissed as withdrawn, so far petitioner no.2 is concerned.

Heard learned counsel for the petitioner nos. 1 and 3 and the State.

The petitioner nos. 1 and 3 are apprehending their arrest in a case instituted under Sections 304(B)/201 of the Indian Penal Code and ¾ of D.P.Act.

The allegation against the petitioners and other co-accused is of killing the deceased for non fulfillment of additional

demand of dowry.

It has been submitted that petitioner no.1 is the husband of the deceased and petitioner no.3 is the brother-in-law of the deceased. It has been further submitted that the petitioners have got no criminal antecedent. The deceased is said to have died in course of her treatment as she was in family way.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the fact that petitioner no.1 is the husband of the deceased, I am not inclined to grant anticipatory bail to petitioner no.1 and the same is rejected.

So far petitioner no.3 is concerned, who is said to be the brother-in-law of the deceased, let above named petitioner no.3, in the event of his arrest or surrender in the court below within a period of four weeks, 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 C.J.M., Siwan in connection with Siwan (Town) P.S.Case No. 255 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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