

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25368 of 2015

Arising Out of PS.Case No. -231 Year- 2014 Thana -GARDANIBAGH District- PATNA

- =====
1. Kanti Devi wife of Mukesh Kumar Rai
 2. Mukesh Kumar @ Mukesh Kumar Rai son of Tuntun Rai Both residents of Anisabad, Post Office Gali, P.S. Gardanibagh, Dist. Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners being the brother and brother's wife of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Section 304B of the Indian Penal Code.

Accusation is of killing the daughter of the informant for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioners that as per own admission of the informant, the marriage was performed in 2003 when the victim died on 25.06.2014, hence, the case does not come within the purview of Section 304B of the Indian Penal Code and the petitioner claims to be partitioned

from the husband of the victim, who is in custody.

Considering the aforementioned facts, let the above named petitioners 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 Judicial Magistrate, 1st Class, Patna in connection with Gardanibagh P.S. Case No.231 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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