

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44098 of 2015

Arising Out of PS.Case No. -202 Year- 2013 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Maya Devi wife of Motilal Baitha
 2. Harendra Kumar son of Motilal Baitha, both of Village-Mahmada Madhubani, P.S.-Mehasi, District-East Champaran
 3. Kalawati Devi wife of Bhikari Baitha
 4. Bhikhari Baitha son of Bijli Baitha , both of Village-Dhalopali, P.S.-Sahebganj, District-Muzaffarpur
 5. Ramawati Devi wife of Vyas Baitha of Village-Semara, P.S.-Banjariya, District-East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. B.M.P.Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-09-2015

Heard learned counsels for the petitioners and the State.

Petitioners being mother, brother, sister, sister-in-law and brother-in-law of the husband of the victim are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 323, 328, 504, 304B, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is killing the sister of the informant after six years of marriage by administering poison for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioners that accusation is omnibus and general. The

postmortem report of the victim reflects no external injury particularly the resisting injury in the background of accusation of administering poison and the viscera has been preserved. It is further submitted that informant has subsequently retracted from the initial version and has filed a petition to that effect before learned Court below.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Mehasi P.S. Case No. 202 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Learned Court below will cancel the bail bonds of the petitioners, if the petitioners default for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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