

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13358 of 2015

Arising Out of PS.Case No. -416 Year- 2014 Thana -BARHARIA District- SIWAN

1. Tetari Devi wife of Sri Motilal Bhagat
2. Motilal Bhagat son of Late Nagina Bhagat
3. Dilip Kumar son of Sri Motilal Bhagat All residents of village Basilpur, P.S. G.B. Nagar, District Siwan. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

with

Criminal Miscellaneous No.22011 of 2015

Arising Out of PS.Case No. -416 Year- 2014 Thana -BARHARIA District- SIWAN

1. Dinesh Kumar S/o Sri Motilal Bhagat Resident of Village Basilpur, P.S. G.B. Nagar, District Siwan. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

(In Cr.Misc. No.13358 of 2015)

For the Petitioner/s : Mr. Naresh Prasad

For the Opposite Party/s : Mr. Manish Kumar-Ii(App)

(In Cr.Misc. No.22011 of 2015)

For the Petitioner/s : Mr. Naresh Prasad

For the Opposite Party/s : Mr. Nagendra Prasad (App)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH

ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners in these two cases seek pre-arrest bail in connection with Barharia (G.B.Nagar) P.S. Case No. 416 of 2014 registered for the offences punishable under sections 304-B and 201 read with 34 of the Indian Penal Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

The daughter of the informant was married on 19th

June, 2014 to petitioner Dinesh Kumar and within three months of her marriage she was killed in her matrimonial home. The petitioners Dinesh Kumar, Tetari Devi, Motilal Bhagat and Dilip Kumar happen to be the husband, mother-in-law, father-in-law and brother-in-law of the deceased respectively.

It is contended that the deceased died a natural death and information in this regard was also sent to the informant and thereafter the dead body was cremated.

On the other hand, learned counsel for the State has submitted that there is specific allegation in the F.I.R. that the deceased was being subjected to cruelty for non-fulfillment of demand of dowry in her matrimonial home and the accused persons disposed of her dead body in order to conceal evidence after killing the deceased within three months of her marriage.

Regard being had to the seriousness of the offence, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for anticipatory bail is rejected.

(Ashwani Kumar Singh, J)

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