

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29272 of 2015

Arising Out of PS.Case No. -453 Year- 2014 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Viyas Choudhary @ Bilas Choudhary S/o Late Bindeshwari Choudhary
 2. Rajpati Devi W/o Bilas Choudhary
 3. Mukesh Choudhary S/o Bilas Choudhary All Resident of Sherhawa Tola Dhankutwa, P.S. Shikarhpur, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Raj Ballabh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-07-2015

Heard learned counsels for the petitioners
and the State.

Petitioners being parents and brother of the
husband of the victim are apprehending their arrest in a case
registered for the offences punishable under Sections 304(B),
201, 34 of the Indian Penal Code.

The accusation is killing the daughter of the
informant after one year of marriage for non-fulfilment of dowry
demand.

It is submitted by learned counsel for the
petitioners that accusation of demanding dowry is specific
against the husband of the victim when the petitioners claim
themselves to be separate from the husband of the victim.
Moreover the informant has retracted from the initial version

and has filed a petition to that effect before learned Court below. The same has been brought on record as Annexure-2.

Considering the aforementioned 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, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 453 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners shall be accepted on filing affidavit before learned Court below that they will cooperate in the investigation. Non-cooperation in the investigation will give liberty to the prosecution to file appropriate application for cancellation of bail of the petitioners.

(Dinesh Kumar Singh, J)

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