

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41341 of 2014

Arising Out of PS.Case No. -144 Year- 2014 Thana -BARACHATTI District- GAYA

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1. Nageshwari Devi, Wife of Suresh Yadav, Resident of Village - Ladu, P.S. - Mohanpur, District - Gaya.
 2. Suresh Yadav, Son of Puran Yadav, Resident of Village - Ladu, Police Station - Mohanpur, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kr. Singh (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

4 30-07-2015 The petitioners figured as accused in Barachatty (Mohanpur) P.S. Case No.144 of 2014 wherein offences punishable under Sections 304B, 201 read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act were alleged.

Apprehending their arrest, the petitioners filed ABP No.1400 of 2014 before the Sessions Judge, Gaya. The same was rejected on 04.08.2014. Hence, this application for grant of anticipatory bail under Section 438 Cr. P.C.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The offence alleged against the petitioners and other accused is the one punishable under Section 304B of the

Indian Penal Code. The question as to whether the petitioners were responsible for the death of the deceased needs to be considered at the trial of the matter. This Court is not inclined to grant anticipatory bail to the petitioners. At least to facilitate the further progress in the matter, the petitioners must surrender before the trial Court and seek regular bail.

Hence, the application is rejected. It is, however, directed that in case the petitioners surrender and apply for bail, the trial Court (Sub-Divisional Judicial Magistrate, Sherghati, Gaya) shall take up the same without any loss of time, having regard to the fact that one is a woman and the other is an old person, and dispose of the same at the earliest.

(L. Narasimha Reddy, CJ)

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