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1. Arun Choudhary
2. Satyendra Choudhary Both are Son of Late Bhola Choudhary
3. Shyam Sundari Devi Wife of Late Bhola Choudhary
4. Mandli Devi Wife of Arun Choudhary
5. Ram Ishwar Choudhary Son of Late Aklu Choudhary All are resident of village- Shankarpur, P.S.- Haspura, District- Aurangabad

Versus

....    ....    Opposite Party

For the Petitioners : Mr. Santosh Kumar Pandey  
For the Opposite Party : Mr. Bhanu Pratap Singh(App)

2      21-04-2015                  Heard learned counsels for the petitioners  
and the State.

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

It is submitted by learned counsel for the petitioners that on conclusion of the investigation the petitioners were not sent up for trial and final form was submitted on 09.01.2009 but differing with the final form,

without specifying the materials, vide order dated 03.09.2013, learned Sub-Divisional Judicial Magistrate, Daudnagar took cognizance against the petitioners under Sections 302, 201 of the Indian Penal Code. Though husband of the victim was also charge-sheeted under Sections 302, 201 of the Indian Penal Code who has been granted bail vide order dated 18.01.2010 passed in Cr. Misc. No. 38424 of 2009.

Considering the fact that case was instituted in the year 2008, final form was submitted in the year 2009 but differing with the same cognizance was taken after four years, 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 Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 92 of 2008, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

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