

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21409 of 2016

Arising Out of PS.Case No. -109 Year- 2015 Thana -ALIPUR District- GAYA

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1. Shakal Yadav S/o Late Karu Yadav,
 2. Ayadhya Yadav S/o Shakal Yadav
 3. Gupta Yadav S/o Shakal Yadav
 4. Savitri Devi W/o Ayodhya Yadav
 5. Barti Devi W/o Gupta Yadav All resident of village- Malda Uttani Tola,
P.S. Alipur, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. Babulal Singh (Yadav) S/o Late Ramshish Singh Resident of village-
Mahadev Bigha, P.S.- Sakurabad, District- Jahanabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad
For the Opposite Party/s : Mr. Sahin Begum (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-05-2016 Petitioners being father, brothers and
brothers' wives of the husband of the victim are apprehending
their arrest in a case registered for the offences punishable
under Sections 498A, 304B, 120B/34 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture and killing
the daughter of the informant after six years of marriage for
non-fulfilment of dowry demand.

It is submitted by learned counsel for the
petitioners that accusation is omnibus and general against the
petitioners. The thrust of accusation is against the husband of
the victim as the impugned order reflects that prior to the

death there was some quarrel between the victim and her husband. The petitioners claim to be separate from the husband of the victim.

Considering the thrust of accusation against the husband of the victim, 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 Additional Chief Judicial Magistrate, VI, Gaya in connection with Alipur P.S. Case No. 109 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners will be accepted on filing affidavit to the effect that petitioners 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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