

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38157 of 2015

Arising Out of PS.Case No. -107 Year- 2015 Thana -
AADAPUR District- EASTCHAMPARAN(MOTIHARI)

- =====
1. Khushbu Singh, Wife of Jaljit Singh @ Daljit Singh
 2. Jaljit Singh @ Daljit Singh @ Daljit Kr Singh
 3. Bajrangi Singh @ Bajrangi Kumar Singh
- Both sons of Phuldeo Singh
All Residents of Village: Sirisiya Nakardeyi (Bhawanipur),
P.S: Nakardeyi, District: East- Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N K Agrawal, Sr. Advocate
Mr. Ram Adya Singh, Advocate
For the Opposite Party : Mr. Binod Kumar -II, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**
ORAL ORDER

3 03-02-2016 Heard learned counsel for the petitioners and
learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail
arises out of Adapur (Nakardeyi) PS Case No.107 of 2015
disclosing offences under Sections 304(B) and 201/34 of the
Indian Penal Code.

Petitioner No. 2 is the elder brother of the
husband of the deceased. Petitioner No.1 is the wife of
petitioner No.2 and petitioner No. 3 is the younger brother
of the husband of the deceased.

Learned Senior Counsel appearing on behalf of



the petitioners submits that these petitioners have been implicated merely because they are related to the husband of the deceased. He further contends that allegations against them are vague and omnibus and there is nothing specific alleged against them. He further contends that there is no allegation of demand of dowry by these petitioners immediately before the death of the deceased in order to make out a case under Section 304(B) of the Indian Penal Code. He has also submitted referring to the statement made in paragraph 7 of the application that the petitioners were living separately from the husband of the deceased on the alleged date of occurrence.

Considering the facts and circumstances of the case and the submissions as above, this application is allowed. It is directed that in the event of their arrest, the petitioners above-named, shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Raxaul at Motihari (East Champaran) in connection with Adapur (Nakardeyi) PS Case No. 107 of 2015, subject to the conditions as laid down under Section 438(2) CrPC.

This is subject to the further condition that the petitioners shall present themselves before the police/Court

below, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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