

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10546 of 2016

Arising Out of PS.Case No. -120 Year- 2014 Thana -JANKINAGAR District- PURNIA

- =====
1. Dulari Devi W/o - Yogendra Yadav
 2. Subhash Yadav @ Subash Yadav @ Subhash Kumar S/o Yogendra Yadav
- Both residents of Village - Sahuria, Dhima Tola, P.S. - Janki Nagar,
District - Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Md.Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 08-03-2016

Heard learned counsels for the petitioners

and the State.

The petitioners being the mother and the brother of the husband of the victim are apprehending their arrest in a case registered for the offences punishable under Sections 304B and 120B/34 of the Indian Penal Code.

The accusation is of killing the sister of the informant for non-fulfillment of the dowry demand and disposing of the dead body.

It is submitted by learned counsel for the petitioners that as per own admission of the informant her sister was married to the son of petitioner no. 1 in 2006 and the victim died in 2014, hence, the case does not come within the purview

of Section 304B of the IPC, though, at earlier point of time the victim filed Complaint Case No. 1100 of 2013 levelling accusation under Section 498A of the IPC. The thrust of accusation is against the husband of the victim and none have killed the victim. Co-accused Yogendra Yadav, the father of the husband of the victim, has been granted regular bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 40364 of 2015.

Considering the fact that as per own admission of the informant the victim died after about eight years of marriage and there is no eye witness to the occurrence, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Purnea in connection with Janki Nagar P.S. Case No. 120 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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