

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43194 of 2016

Arising Out of PS.Case No. -239 Year- 2016 Thana -PHULWARI District- PATNA

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1. Pan Patiya Devi, daughter of late Bangali Rai and wife of Sunil Rai,
2. Sunil Rai, S/o late Subai Lal Rai &
3. Sanju Devi, daughter of late Bangali Rai and wife of Moti Rai
Petitioners.

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Yadav

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 20-12-2016 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Phulwarisharif P.S. Case No. 239 of 2016 which was initially,
registered under Sections-307, 498(A) of the Indian Penal Code
and Sections-3/4 of Dowry Prohibition Act but after the death of
the victim, the case was converted u/S 304(B) of the Indian Penal
Code. However, the statement of deceased was recorded in
hospital, while she was admitted and in that statement, she stated
that her mother-in-law and sister-in-law lit fire on her person.

So far petitioner Nos. 1 & 3 are concerned; both are
sisters-in-law of the deceased whereas; petitioner No. 2 is husband
of petitioner No. 1.

Therefore, in the aforesaid circumstances, in my



view, petitioner Nos. 1 & 3 are not entitled to get privilege of anticipatory bail and accordingly, their prayer for anticipatory bail stands rejected.

However, prayer for anticipatory bail of petitioner No. 2 namely, Sunil Rai, is allowed and it is ordered that let petitioner No. 2 named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Phulwarisharif P.S. Case No. 239 of 2016 to the satisfaction of Smt. Shema Eram, learned Judicial Magistrate-Ist Class, Patna subject to condition as laid down u/S 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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