

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40436 of 2017

Arising Out of PS.Case No. -288 Year- 2016 Thana -COMPLAINT CASE District- LAKHISARAI
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1. Sheojee Yadav, Son of Late Amir Yadav,
2. Dayawanti Devi @ Devvanti Devi @ Deymanti Devi, Wife of Sheojee Yadav, Both are resident of Village- Nista, P.S.- Suryagarha, District- Lakhisarai.

.... Petitioners

Versus

1. The State of Bihar.
2. Tribhuwan Yadav, Son of Late Brahmdeo Yadav, Resident of Village- Gosaywee, Gaon, P.S.- Ghoswari, District- Patna.

.... Opposite Parties
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Appearance :

For the Petitioners : Mr. Ambika Bhagat, Advocate.
For the State : Mr. Dr. Ajeet Kumar, A.P.P.
For the Complainant : Mr. Mukesh Kumar, Advocate.
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-08-2017 Heard learned counsels for the petitioners,

complainant and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 288 (C) of 2016 for the offences instituted under Sections 304(B) and 498(A)/34 of the IPC.

The prosecution story, in brief, is that the accused



persons including the petitioners killed the daughter of the complainant due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the daughter of the complainant. They are separate in mess and property from the husband of the daughter of the complainant. The petitioners have further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

It has been submitted by learned counsels for the State and the complainant that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 288 (C) of 2016 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 C.J.M. Lakhisarai, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

