

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51539 of 2017

Arising Out of PS. Case No.-124 Year-2017 Thana- ISUAPUR District- Saran

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1. Shankar Nutt Son of Girgit Nutt
 2. Budhni Devi Wife of Shankar Nutt
 3. Amarjeet Nutt @ Bodha Son of Shankar Nutt null
 4. Megha Nut Son of Shankar Nutt All are the resident of Village- Bishunpura, P.S.- Ishuapur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar
For the Opposite Party/s : Mr. SRI BINOD KUMAR 2

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-11-2017 Heard learned counsel for the parties.

The petitioner no.3 being husband of the daughter of the informant and petitioner nos. 1, 2 and 4 being the parents and brother of petitioner no.3 are apprehending arrest in a case registered for the offences punishable under sections 304B/34 of the IPC and sections 3 and 4 of Dowry Prohibition Act.

The prosecution case got initiated with the written report of Srikishun Nutt is to the effect that the informant's daughter Rinki Devi got married with petitioner no. 3 about three years prior to the lodging of the case. For some time, the daughter of the informant was treated well but thereafter the in-laws family including the petitioners started demanding Rupees One Lac and



gold chain and due to non-fulfillment of the same she was being assaulted. On 18.6.2017 the informant came to know that his daughter has been killed and the accused persons are going to dispose of the dead body then the informant went to in-laws house of his daughter and found her dead body. Hence, it is alleged that the accused persons killed the daughter of the informant under conspiracy.

Learned counsel for the petitioner submits that on suspicion the accusation has been levelled. The victim died due to illness. Admittedly, the informant is not an eye witness to the occurrence. Moreover, it is submitted that the informant has retracted from the initial version and has filed application to that effect before the learned court below. It is further submitted that petitioner nos. 1,2 and 4 are separate from petitioner no. 3.

Considering the thrust of accusation against petitioner no. 3, this Court is not inclined to grant anticipatory bail to him. Accordingly, prayer of petitioner no. 3 for anticipatory bail is rejected.

So far as petitioner nos. 1, 2 and 4 are concerned, keeping in view the fact that the accusation against them is omnibus and general, let the petitioner nos. 1,2 and 4 above named be released on anticipatory bail in the event of arrest or surrender



within 12 weeks 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 SDJM, Saran at Chapra in connection with Ishuapur P.S. Case No. 124 of 2017.

(Dinesh Kumar Singh, J)

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