

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1039 of 2017

Arising Out of PS.Case No. -230 Year- 2016 Thana -DIGHA District- PATNA

- =====
1. Malti Kumari daughter of late Hari lal Rai
 2. Poonam Kumari Daughter of late Hari Lal Rai
 3. Basmati Devi wife of late Hari lal Rai all are permanent resident of Chandpur Bela, P.S.- Jakkanpur, district- Patna at Present resident of Mohalla- Shivajinagar, Makdumpur Bagicha , P.S. Digha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Sri Shantanu Kumar

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 20-02-2017 Heard the learned counsel for the petitioners, the learned A.P.P. for the State as also the learned counsel for the Informant.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Digha P.S. Case No. 230 of 2016 for the offences punishable under sections 304 B, 498 A, 120 B and 34 of the I.P.C.

Anisha Kumari, the daughter of the informant, was married to Abhishek Kumar Anand son of Professor Surendra Prasad Yadav on 14.02.2016 and thereafter on 11.09.2016 information was received that Anisha Kumari committed suicide



and then the police was informed and on inspection leg of Anisha Kumari was touching the bed and as such it is alleged that after killing Anisha Kumari her dead body was hanged by the husband and other in-laws including the petitioners who are residing there for twenty years.

Submission is of false implication and that the petitioners are tenants, they have been made unnecessarily accused, they are not the relatives of husband and as such no offence under section 304 B of the I.P.C. is made out against them, during investigation Mahavir Prasad, witness has stated regarding false implication of the petitioner, vide paragraph-121 of the case diary, and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioners by submitting that it is the habit of the accused persons to kill the wife, it was third marriage of Abhishek Kumar Anand and the petitioners were kept illegally by Professor Surendra Prasad Yadav in the house and they have participated in the crime.

In the facts and circumstances as stated above, considering that there is no specific allegation against the petitioners, during investigation the witness Mahavir Prasad has



stated regarding innocence of the petitioners and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. Mr. Mohd. Inam Khan, J.M. 1st Class, Patna in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--

