

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73069 of 2018

Arising Out of PS. Case No.-220 Year-2018 Thana- JHAJHA District- Jamui

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1. Dhanbaliya Devi @ Dhurpatiya Devi, Wife of Nageshwar Yadav @ Nagesar Yadav,
 2. Nageshwar Yadav @ Nagesar Yadav, Son of Late Chaudhary Yadav,
 3. Pankaj Yadav, Son of Nageshwar Yadav @ Nagesar Yadav, All resident of Village- Harna Belatarh, P.S.- Jhajha, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-12-2018

Heard learned counsel for the parties.

The application for anticipatory bail arises out of Jhajha P.S. Case No. 220 of 2018, disclosing offences under Section 302, 201 34 of the Indian Penal Code.

Petitioner no.1 is the mother-in-law of the deceased. Petitioner no.2 is the father-in-law, whereas petitioner no.3 is the brother of the husband of the deceased.

The occurrence is said to have taken place 10 years after the marriage. There is allegation of demand of dowry against the all the accused persons.

Learned counsel, appearing on behalf of the petitioners, has submitted that no offence under Section 302 of the IPC is made out, on the basis of what has been alleged in the FIR and the informant has merely raised a suspicion that the



deceased might have been killed.

On perusal of the FIR, I find substance in the submission made on behalf of the petitioners.

In view of aforesaid submission, this application is allowed. Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the court below, 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 the learned SDJM, Jamui in Jhajha P.S. Case No. 220 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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