

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20064 of 2018

Arising Out of PS. Case No.-178 Year-2017 Thana- MAHARAJGANJ District- Siwan

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1. Jangi Yadav, S/o- Late Maraie Yadav,
 2. Brijkishore Yadav, S/o-Jangi Yadav, Both are R/o-Village-
Hanhwa, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 10-04-2018 Heard learned counsels for the petitioners and State.

The petitioners being the father and younger brother of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B and 201/34 of the IPC.

The prosecution case, as per the written report of Sipahi Yadav dated 02.10.2017, submitted to the Station House Officer, Maharajganj Police Station is to the effect that the informant's daughter, Kavita Devi was married with Nagendra Yadav in the year 2012. The matrimonial relationship between the daughter of the informant and her husband was cordial for two years. Thereafter, Nagendra Yadav started demanding further dowry of one motorcycle and some cash amount when the daughter of the



informant shown her inability to fulfill such demand due to constrained financial condition of her parents. Thereafter, Nagendra Yadav used to torture and made assault to the daughter of the informant. The informant tried to resolve the issue several times, but failed. Ultimately, on 28/29.09.2017, the entire in-laws family members including the petitioners killed the daughter of the informant and disposed of the dead body.

It is submitted by learned counsel for the petitioners that from perusal of the FIR, that the accusation of demand of further dowry by way of motorcycle and cash as well as the accusation of assault and torture is only specific against the husband of the victim. The accusation against the petitioners and other family members is omnibus and general. It is further submitted by learned counsel for the petitioner that the sisters of the husband of the victim, namely, Salhera Devi and Guddu Kumari, have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court, vide order dated 09.03.2018, passed in Cr. Misc. No. 12768 of 2018.

Learned APP submits that the petitioners are named in the FIR and the daughter of the informant has been killed after two years of the marriage.

Considering the fact that thrust of accusation is



against the husband of the victim and the accusation against the petitioners is omnibus and general, based on suspicion, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Maharajganj P.S. Case No. 178 of 2017, in connection with learned Addl. Chief Judicial Magistrate-VI, Siwan, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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