

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7330 of 2018

Arising Out of PS. Case No.-372 Year-2017 Thana- PATNA CITY CHOWK District- Patna

1. Vishal Kumar, Son of Late Vinay Kumar,
2. Lilawati Devi, Wife of Late Vinay Kumar, Both permanent resident of Mohalla- Nehru Tola (Begumpur), P.S.- Chauk, District- Patna, Presently residing the House of Santosh Kumar, R/o Mohalla- Nakhas Mansoorganj, Marufganj, P.S.- Malsalami, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-04-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Chauk P.S. Case No. 372 of 2017 registered for the offence punishable under Sections 304-B and 34 of the Indian Penal Code.

The case of the prosecution is that the accused persons had harassed the victim lady on account of non-fulfillment of the demand for dowry and then, the said accused persons are said to have killed the victim lady.

The learned counsel for the petitioners submits that the victim lady was a case of schizophrenia and therefore, on account of depression, she committed suicide. It is further submitted that the independent witnesses have also corroborated the said fact which is clear from paragraphs 6, 7 and 8 of the



case diary wherein they have stated that when the door was opened by the independent witnesses then it was found that the victim lady had committed suicide by hanging herself from fan. It is further submitted that the petitioners are not the husband of the victim lady but the brother-in-law and mother-in-law of the deceased lady. It is further contended that the petitioners are having a clean antecedent.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M, IIInd, Patna City, Patna in connection with Chouk P.S. Case No. 372 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is directed that the petitioners shall join investigation and they should be present at the place where they are directed to



appear by the investigating agency and in case, they do not cooperate with the investigation, the prosecution would be free to approach this Court for cancellation of bail.

(Mohit Kumar Shah, J)

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