

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55885 of 2017

Arising Out of PS.Case No. -34 Year- 2012 Thana -PAROO District- MUZAFFARPUR

- =====
1. Phool Kumari Devi, W/o Shankar Rai,
 2. Shankar Roy, S/o Nagina Rai, Both are resident of Village- Chand Kumari, P.S.- Deoria, District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shashi Bhushan Singh, Advocate.

For the Opposite Party : Mr. Dr. Indiwari Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-01-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A) and 304(B) of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners killed the victim due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners are mother-in-law and



father-in-law of the deceased. They are separate in mess and property from the husband of the deceased. Number of witnesses who have been examined in course of investigation and whose statements are in paragraph nos. 4, 5, 6, 105 and 106 of the case diary, have stated that the deceased died due to kidney failure. The petitioners have further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 S.D.J.M. Muzaffarpur (West), in connection with Paru P.S. Case No. 34 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)