

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61754 of 2018

Arising Out of PS. Case No.-110 Year-2018 Thana- DARBHANGA SADAR District-
Darbhanga

-
1. Aunpia Devi @ Anupia Devi, wife of Ramashish Yadav.
 2. Rambabu Yadav, son of Ramshish Yadav. Both are Resident of Village- Lakshmipur Jurana, P.S. Sadar, District Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Prabhat Kumar Singh, Advocate.
For the Opposite Party : Smt. Anita Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-12-2018 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 302 and 201/34 of the
IPC.

The prosecution story, in brief, is that the informant
married his daughter to co-accused Lal Babu Yadav around 9-10
years back in accordance with Hindu rites and custom. Around
6-7 months after marriage, husband and all his family members
made a demand of dowry of rupees two to three lacs and a
motorcycle and upon non-fulfilment of the same, assaulted and
threatened to kill her. On 03.04.2018, the informant received an
information from the resident of her daughter's Sasural village



that her daughter has been killed by the petitioners and other co-accused, who all are family members and have clandestinely disposed of the dead body. Thereafter, the informant inquired and learnt that on the previous night, petitioner and others killed her daughter by pressing her neck and cremated the body in the night itself.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. The petitioners have been made accused in the present case due to mistake of fact. The petitioner no. 1 is mother-in-law and petitioner no. 2 is *Dewar* of the deceased. They are separate in mess and property from the husband of the deceased. The husband of the deceased is in custody. It is case for an offence under Section 302 of the IPC. There is no direct or indirect evidence to suggest the implication of the petitioners in the present case.

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

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 C.J.M. Darbhanga, in connection with Sadar (Darbhanga) P.S. Case No. 110 of 2018 (G.R. No. 883 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

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

