

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24358 of 2018

Arising Out of PS. Case No.-1011 Year-2016 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Bhabhua (Kaimur)

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1. Asha Kunwar, W/o Late Pateshwar Singh,
 2. Rekha Devi @ Rekha Singh, D/o Late Pateshwar Singh, Both resident of Village- Karanpura, P.S.- Durgawati, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ramdeo Singh, S/o Late Ramjanam Singh, Resident of Village- Sohwalia Khurd, P.S.- Kargahar, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-05-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 302, 498 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation is that the accused persons including the petitioners committed murder of the daughter of the complainant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are in-laws of the deceased. The petitioners have been made accused due to mistake of fact. The deceased has succumbed to death due to



train accident. In respect of the same, an U.D. case No.18 of 2016 was instituted by the son of the deceased. After enquiry, a report was also submitted vide Annexure 3 to the present application, which indicates that the deceased succumbed to death as she had met with a train accident. The said U.D. case was instituted on 21.06.2016 and the present complaint case was filed on 09.09.2016. The delay has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-2, Bhabhua in connection with Complaint case No.1011 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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