

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62436 of 2018

Arising Out of PS. Case No.-2608 Year-2015 Thana- SIWAN COMPLAINT CASE District-
Siwan

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1. Sunil Yadav @ Sunil Kumar Yadav Son of Sheonath Yadav
 2. Gita Devi Wife of Sunil Yadav
 3. Rita Devi Wife of Babu Ram Yadav All of Resident of Village-
Dharampur, Police Station- Andar, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Most. Arti Devi Wife of late Kanhaiya Yadav, Daughter of late Gorakh Yadav
Resident of Village- Ramsapur Tole Lopar, Post- Ramsapur, Police Station-
Doranda, District- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raghav Prasad
For the Opposite Party/s	:	Smt. Asha Devi
For the informant	:	Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-10-2018 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 406, 498A, 354, 304/34 of the Indian Penal Code in which cognizance has been taken under sections 498A, 354, 302/34 of the Indian Penal Code.

Allegation against the petitioners is of committing torture and thereafter caused death of the victim 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 have falsely been implicated in the present case. Petitioner nos. 2 and 3 are ladies. The complainant is daughter-in-law of Gorakh Yadav. As per the allegation, the said Gorakh Yadav is said to have died nine months prior to the institution of the present case. It is further alleged that the husband of the complainant namely Kanhaiya Yadav is said to have died 25 days prior to the institution of the present complaint case. Delay has not been explained by the complainant. Both persons are said to have been done to death by co-accused Rajesh Yadav. The petitioner nos. 2 and 3 are married *nanad* of the complainant and petitioner no. 1 is husband of petitioner no. 2. No specific overt act has been alleged against the petitioners. Due to property dispute, the present case has been lodged against the petitioner and other family members.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XI, Siwan in connection with Complaint Case No. 2608/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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