

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53446 of 2017

Arising Out of PS.Case No. -104 Year- 2016 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

- =====
1. Avinash Bhagat, Son of Shivji Bhagat
 2. Chameli Devi, wife of Shivji Bhagat both residents of village Mustafapur, P.S. Bidupur, Distt. - Vaishali.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor

For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bidupur P.S. Case no. 104 of 2016, registered under Sections 304(B) and 201/34 of the Indian Penal Code.

The accusation is of killing of the daughter of the informant by her husband and other in-laws within two years of her marriage due to non-fulfillment of demand of dowry and also removed from her matrimonial house.

Learned counsel for the petitioners submits that earlier the Criminal Miscellaneous No. 27576 of 2017 filed on behalf of the petitioners with prayer of pre-arrest bail, but the same was rejected due to non-compliance of preemptory order regarding removing of defects as pointed out by the Stamp Reporter as such the prayer of the



petitioners was rejected by this Court. Further submission is that petitioners are the brother-in-law and mother-in-law of the deceased have falsely been implicated in this case with general and omnibus allegation. Moreover, the husband of the deceased is in custody.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 104 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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