

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1545 of 2018

Arising Out of PS.Case No. -88 Year- 2017 Thana -NAWAKOTHI District- BEGUSARAI

=====

1. Anita Devi W/o Om Prakash Jha @ Chullho Jha
2. Om Prakash Jha @ Chullho Jha S/o Kisundeo Jha
3. Lalan Jha S/o Om Prakash Jha @ Chullho Jha All residents of Village -
Pahsara, P.S. Naokothi, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Sri Manish Kumar 2

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-02-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Naokothi PS case no. 88 of 2017 registered for
the offences punishable under Section 304B/34 of Indian Penal
Code.

At the outset, the learned counsel for the petitioners
seeks to withdraw the anticipatory bail petition in so far as the
petitioners no. 2 and 3 are concerned with a liberty to approach the
concerned court.

In such view of the matter, the present petition, as
far as petitioners no. 2 and 3 are concerned, is disposed of as



withdrawn with a liberty to the said petitioners to approach the concerned court by surrendering within a period of two weeks from today and in case, any regular bail is filed, the same shall be considered and disposed of on the same day.

Now coming to the merits of the case, it appears that the allegation against the accused persons is assaulting the deceased on account of non-fulfilment of demand of dowry resulting in death of the deceased. In the inquest report as well as the post-mortem report, several injuries have been found to have been inflicted on the deceased and there is fracture on the skull as well.

The learned counsel for the petitioners submits that petitioner no. 1 is the mother-in-law, petitioner no. 2 is the father-in-law and petitioner no. 3 is the brother-in-law of the deceased girl while the husband of the deceased is already in custody. It is further submitted that there are no eye-witnesses and there is general and omnibus allegation against all the petitioners.

The learned APP for the State has submitted that there is an allegation of assaulting the deceased victim girl against all the accused persons which has resulted in her death.

Having regards to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioner no. 1



i.e. the mother-in-law of the deceased girl to the privilege of anticipatory bail. Accordingly, the petitioner no. 1, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Raghubir Prasad, Judicial Magistrate-1st class, Begusarai in connection with Naokothi PS case no. 88 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

It is directed that the petitioner would be present before the concerned Court, on the date fixed, and in case of two consecutive defaults in his presence before the concerned Court on the appointed day, the present privilege of anticipatory bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

rinkee/-

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

