

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39703 of 2018

Arising Out of PS. Case No.-251 Year-2017 Thana- SAKRA District- Muzaffarpur

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1. Manish Kumar @ M. Rai, S/o Shatrughan Rai, (Name Mentioned in F.I.R. at Serial No.6 as Son In- Law of Krishna Deo Mishra and Husband of Nitu Devi).
 2. Nitu Kumari @ Nitu Devi W/o Manish Kumar (Name Mentioned in F.I.R. at Serial No.3 as D/o Krishna Deo Mishra), Both R/o Vill.- Mirapur, P.S.- Sakra , District- Muzaffarpur (Address mentioned in F.I.R. as R/o Vill.- Bishunpur Baghnagri , P.S.- Sakra , District- Muzaffarpur).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Adv.

For the Opposite Party/s : Sri Uma Shankar Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-07-2018 Heard learned Counsels for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Ramshresth Singh, recorded by ASI Bashist Prasad of Brahampura P.S. on 21.06.2017 at 03.00 A.M. to the effect that the informant's grant daughter Vandana Kumari was married with Dhananjay Kumar on 28.05.2015, but subsequently, she was being tortured and assaulted for non-fulfillment of further



dowry demand of Rupees One Lakh. This fact was conveyed by the victim through telephone to the family members. Ultimately, on 21.06.2017, the grand-daughter of the informant was poisoned to the death.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general. Moreover, the thrust of accusation is against the husband of the grand-daughter of the informant. The marriage of the victim was performed on 28.05.2015, whereas, she died on 21.06.2017. It is further submitted that the co-accused Indu Kumari has been granted anticipatory bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 18701 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the death has been caused within seven years of marriage.

Considering the accusation being omnibus and general against the entire in-laws family members of the victim, the thrust of accusation is against the husband of the victim, co-accused Indu Kumari has been granted anticipatory bail vide Criminal Miscellaneous No.18701 of 2018, coupled with statement made in paragraph no.3 of the petition that the



petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned ACJM-Cum-Sub-Judge, 13th, Muzaffarpur in connection with Sakra P.S. Case No.251 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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