

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58672 of 2018

Arising Out of PS. Case No.-101 Year-2018 Thana- AANDAR District- Siwan

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1. Sita Ram Chauhan, son of Basgeet Chauhan
 2. Mukesh Kumar Chauhan @ Mukesh Chauhan, son of Sita Ram Chauhan
 3. Fulmati Devi, wife of Sita Ram Chauhan
- All are resident of village - Khedhai, P.S.- Andar, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajdeo Chauhan, son of Late Kashi Chauhan , resident of village - Parsia, P.S.- Darauli, District- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Ravi Bhushan Verma, Advocate

For the Opposite Party/s : Sri Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-09-2018 Heard Sri Ravi Bhushan Verma, learned counsel for the petitioners and Sri Jai Narain Thakur, learned Additional Public Prosecutor.

At the very outset , learned counsel for the petitioners submits that petitioner no. 1 /Sita Ram Chauhan and petitioner no. 3 / Fulmati Devi during pendency of this petition have already been arrested, and as such, the petition in respect of petitioner nos. 1 and 3 has already become infructuous.

Accordingly, anticipatory bail petition in respect of petitioner nos. 1 and 3 stands dismissed as same has become



infructuous.

Learned counsel for the petitioners submits that petitioner no. 2 / Mukesh Kumar Chauhan @ Mukesh Chauhan was not residing with his father and he was residing separately in the same village and this is the reason that informant in his *fardbyan* has stated that while after getting information on 31.05.2018 he visited the house of petitioners he did not find petitioner no. 2 or his wife or children. Accordingly, it has been argued that petitioner no. 2 - Mukesh Kumar Chauhan @ Mukesh Chauhan is entitled to be released on bail in the event his arrest or surrender in connection with Andar P.S. Case No. 101 of 2018 registered for the offence under Section 302/304(B), 498A/34 of the Indian Penal Code, 1860 .

Learned Additional Public Prosecutor submits that in the F.I.R. there is specific accusation that after marriage which was solemnized on 12.05.2018 within three days the daughter of the informant was tortured and demand of dowry was made in that connection petitioner no. 2 name has also come and within few days i.e. on 31.05.2018 the daughter of the informant was done to death. It was not a natural death.

Considering the facts and circumstances particularly seriousness of the accusation, there is no reason to entertain the



prayer for grant of anticipatory bail.

The prayer for grant of anticipatory bail to petitioner
no. 2 namely Mukesh Kumar Chauhan @ Mukesh Chauhan
stands dismissed.

(Rakesh Kumar, J)

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