

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.73356 of 2018**

Arising Out of PS. Case No.-141 Year-2018 Thana- BAJPATTI District- Sitamarhi

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1. Bipin Kumar @ Bipin Kumar Kshatradhari, S/o Upendra Rai  
2. Rubi Kumari @ Rubi Devi, W/o Bipin Kumar @ Bipin Kumar  
Kshatradhari  
Both are resident of village Naraha Kala, Ward No. 5, Police  
Station Bajpatti, District Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Madhubala Verma

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

2      20-12-2018                      Heard learned counsel for the petitioners as well as  
  
learned Additional Public Prosecutor for the State assisted by  
  
learned counsel appearing for the informant.

Petitioners apprehend their arrest in connection with  
  
Bajpatti P.S. Case No. 141/2018 registered for the offences  
  
punishable under Sections 304(B) and 34 of the Indian Penal  
  
Code.

The petitioner No. 1 is elder brother-in-law of the  
  
deceased, whereas petitioner No. 2 is wife of petitioner No.1.

Although, the petitioners have been made accused in a  
  
case of dowry death but submission on behalf of the petitioners  
  
is that petitioners are separate from the husband of the deceased,  
  
which is evident from perusal of Annexure-2 to this petition.



Moreover, no specific overt act has been attributed against the petitioners in the written report of the informant.

On the other hand, learned counsel appearing for the informant opposed the prayer submitting that the death of the deceased was unnatural as the cause of death of the deceased was asphyxia and, admittedly, petitioners are family members of the husband of the deceased.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that above-named petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on 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 Sub Divisional Judicial Magistrate, Pupari, District Sitamarhi in Bajpatti P.S. Case No. 141/2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

**(Hemant Kumar Srivastava, J)**

Spd/-

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