

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71743 of 2018

Arising Out of PS. Case No.-203 Year-2018 Thana- CHHATAPUR District- Supaul

-
1. Amarnath Choudhary, Son of Late Mishri Lal Choudhary, Resident of Village-Suryapur, P.S. Chhatapur, Distt.-Supaul.
 2. Parwati Devi, D/o Late Mishri Lal Choudhary, wife of Vijay Choudhary, Resident of Village-Suryapur, P.S. Chhatapur, Distt.-Supaul, presently Resident of Village-Supaul.
 3. Vijay Choudhary, Son of Balram Chaudhary, Resident of Village-Ganpatganj, P.S. Raghapur, Distt.-Supaul.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Vijay Kumar, Advocate.

For the Opposite Party : Mrs. Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2018 Learned counsel for the petitioners is permitted to make necessary corrections in paragraph no. 1 of the bail application, in course of the day.

Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 323, 341, 307, 379, 498(A), 504 and 506/34 of the IPC. Subsequently, Section 304(B) was also added in the present case.

The prosecution story, in brief, is that the accused persons including the petitioners killed the victim due to non-fulfilment of demand of dowry.



It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The informant (deceased) and her family members are in habit of instituting similar cases against the petitioners and their family members. The petitioner no. 1 is brother-in-law (*Bhaisur*), petitioner no. 2 is sister-in-law (*Nanad*) and petitioner no. 3 is the *Nandoshi* of the deceased. They are separate in mess and property from the husband of the deceased. The petitioners have got no concern with the alleged occurrence. The alleged occurrence took place after 20 years of marriage. Hence, no offence under Section 304 (B) of the IPC is made out.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-



IV, Supaul/Incharge successor court in connection with
Chhatapur P.S. Case No. 203 of 2018/G.R. No. 1336 of 2018,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

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

