

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62231 of 2017

Arising Out of PS.Case No. -137 Year- 2015 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Jailasiya Devi, W/o Asharfi Bhagat,
2. Asharfi Bhagat S/o Late Jhagru Bhagat,
3. Ramesh Bhagat @ Ramesh Kumar S/o Asharfi Bhagat, All R/o Village-
Sidhaliya, P.S.- Rajepur, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-01-2018 Learned counsel for the petitioners seeks permission to

withdraw the present application as far as petitioner no.2 is

concerned.

Permission is accorded.

The present application filed on behalf of petitioner
no.2 is dismissed as withdrawn.

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 304B, 498A, 302, 34, 120B, 149, 201 of
the Indian Penal Code and 3/4 of D.P. Act.

The allegation against the petitioners is of committing



murder of the deceased due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner no.1 is mother-in-law of the deceased. She is separate in mess and property from the husband of the deceased. Petitioner no.3 is husband of the deceased.

On behalf of the State, it has been submitted that the petitioner no.3 is named in the F.I.R. He is husband of the deceased. The onus is upon him to explain the cause of death of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to petitioner no.3 namely Ramesh Bhagat @ Ramesh Kumar. The same is rejected.

So far as petitioner no.1 namely Jailasiya Devi is concerned, She is directed to be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Rajepur P.S. Case No.137 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned S.D.J.M., Sadar, Motihari, East Champaran,
subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Sudhir Singh, J)

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