

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62352 of 2018

Arising Out of PS.Case No. -45 Year- 2014 Thana -PALANWA District- EASTCHAMPARAN
(MOTIHARI)

- =====
1. Sripati Devi, W/o Mangani Sah,
 2. Sanjay Sah, S/o Mangani Sah,
 3. Mohan Sah, S/o Mangani Sah,
 4. Narayan Sah @ Ram Narayan Sah, S/o Shambhu Sah, All R/o Vill.-
Badi Tola, P.S.- Palnava (Bhelahi), District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Arbind Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 26-10-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 304(B) and 201/34 of the
IPC.

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 got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged



against the petitioners. The petitioners have been made accused in the present case due to mistake of fact. The petitioner no. 1 is cousin mother-in-law (*Chachia Sas*), petitioner nos. 2, 3 and 4 are cousins of husband of the deceased. They are separate in mess and property from the husband of the deceased. The husband of the deceased has already been acquitted by the learned court below.

On behalf of the learned counsel for the State, 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 S.D.J.M. Raxaul, Motihari, East Champaran, in connection with Palanva P.S. Case No. 45 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)