

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45990 of 2018

Arising Out of PS.Case No. -500 Year- 2016 Thana -MARHAURA District- SARAN

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1. Indu Devi, Wife of Surendra Bhagat.
 2. Raju @ Raju Kumar Bhagat, Son of Surendra Bhagat.
 3. Aanand @ Aanand Kumar, Son of Surendra Bhagat. All are resident of Village- Chiutaha Police Station- Baikunthpur District- Gopalganj.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Mustaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-07-2018 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 498(A) 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 petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. The victim is alleged to have died due to accidental fire while she was cooking which is evident from a U.D. Case No. 02 of 2016 dated 15.06.2016 lodged by Indu Devi mother-in-law of the deceased (Annexure-2) to the present application.

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 A.C.J.M.-II, Chapra (Saran), in connection with Marhaura P.S. Case No. 500 of 2016 G.R. No. 7006 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

