

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43723 of 2018

Arising Out of PS.Case No. -87 Year- 2015 Thana -DUMRIAGHAT District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Mintu Jaiswal, Son of Shankar Jaiswal, Resident of Village Asogi, Police Station Bairgania, District- Sitamarhi.
  2. Nishu Jaiswal, Son of Shankar Jaiswal, Resident of Village- Asogi, Police Station- Bairgania, District- Sitamarhi.
  3. Rubi Jaiswal, Wife of Raju Jaiswal, Daughter of Shankar Jaiswal Resident of Village- Motipur Bazar, Police Station- Motipur, District Muzaffarpur.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Sanjay Kumar, Advocate.  
For the Opposite Party : Mr. Gauri Shankar Gupta, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
ORAL ORDER

2      20-07-2018                      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 498(A), 270, 307, 328 of the IPC. Subsequently, Sections 302, 304(B) of the IPC and 3 of the Domestic Violence Act were also added.

The prosecution story, in brief, is that the accused persons including the petitioners killed the deceased 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. The petitioners have falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioner nos. 1 and 2 are married *Dewar* of the deceased and petitioner no. 3 is married *Nanad* of the deceased. They are separate in mess and property from the husband of the deceased. After investigation, the police has submitted final form finding the accusation made against the petitioners to be false. The husband of the deceased is in custody.

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 C.J.M. East Champaran, Motihari, in connection with Dumariaghat P.S. Case No. 87 of 2015, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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