

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76851 of 2018**

Arising Out of PS. Case No.-128 Year-2018 Thana- ATRI District- Gaya
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Bachiya Devi W/o Late Hiranman Yadav, Resident of Village- Malhachak,
P.S.- Atari, District- Gaya.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

with

CRIMINAL MISCELLANEOUS No. 15136 of 2019

Arising Out of PS. Case No.-128 Year-2018 Thana- ATRI District- Gaya
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DHARMENDRA YADAV, male, aged about 30 years, Son of Late Hiranman
Yadav Resident of Village - Mallahchhak, P.S.- Atari, District - Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 76851 of 2018)

For the Petitioner : Mr. Ravindra Kumar Sinha, Advocate.

For the Opposite Party: APP

(In CRIMINAL MISCELLANEOUS No. 15136 of 2019)

For the Petitioner : Mr. Ravindra Kumar Sinha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

5 29-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304(B)/201 of the Indian Penal Code registered in connection with Atari P.S. Case No. 128 of 2018.

3. It is submitted that the petitioners being the mother-in-law and husband respectively of the deceased have been falsely implicated and as a matter of fact the deceased died owing to snake bite. It is submitted that the husband of the



deceased had given information about the death to the informant who was present at the cremation. The deceased was married in the year 2012 itself and no complaint with regard to torture or cruelty has been filed in the past against the petitioners, both of whom claim clean antecedents.

4. Learned APP on the other hand submits that the parties appear to have been living jointly and the ingredients of Section 304B IPC are made out against the petitioners. The petitioners have not produced any order of anticipatory bail of other co-accused persons as sought to be urged before this Court today as well as the previous occasion on 31.01.2019 when, relying on such submission, provisional bail was granted to the petitioner in Cr. Misc. No. 76851 of 2018. On the other hand, a perusal of paragraph-43 of the case diary discloses that co-accused Chhotu Yadav has been granted regular bail upon surrender.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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