

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22089 of 2019

Arising Out of PS. Case No.-709 Year-2018 Thana- BANKA District- Banka

1. Sanjay Yadav Son of Bhuto Yadav Resident of Village - Chorakol, Police Station- Banka, District - Banka.
2. Bhuto Yadav Son of Late Manbharan Yadav Resident of Village - Chorakol, Police Station- Banka, District - Banka.
3. Bagaro Devi Wife of Bhuto Yadav Resident of Village - Chorakol, Police Station- Banka, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Sinha 2
For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

9 16-11-2019 Heard learned counsels for the petitioners and the State.

The petitioners, being the brother and parents of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the IPC.

The prosecution case is that the informant's daughter, Rupa Devi was married with co-accused Shambhu Yadav, but after two years of the marriage, further dowry demand of a motorcycle was made and due to non-fulfillment of the same, the victim was tortured by the petitioners and other in-laws



family members. Ultimately, on 25.10.2018, the daughter of the informant was killed by all the accused persons including the petitioners.

It is submitted by learned counsel for the petitioners that the accusation of demand of a motorcycle is specific against the husband of the victim and in fact the victim has committed suicide. The petitioners claim that they use to live separately from the husband of the victim. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP, after going through the case diary, submits that accusation against the petitioners are specific and they are named in the FIR.

Considering the fact that thrust of accusation is against the husband of the victim and the evidence collected during investigation does not suggest direct complicity of the petitioners, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand)



each with two sureties of like amount each to the satisfaction of
learned CJM, Banka in connection with Banka P.S. Case No.
709 of 2018, subject to the condition as laid down under Section
438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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