

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23912 of 2019

Arising Out of PS. Case No.-215 Year-2018 Thana- DURAULI District- Siwan

1. Taramati Devi, W/O Mundrika Bhagat, R/o Village- Gopalpur, PS- Darauli, District- Siwan.
2. Akash Bhagat @ Akash Kushwaha, S/o Mundrika Bhagat, R/o village Gopalpur, PS Darauli, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

8 27-09-2019 It appears that the prayer for pre-arrest bail of petitioner no.1, Taramati Devi, was rejected vide order dated 23.04.2019.

Learned counsel for petitioner no. 2 is permitted to make necessary correction in the cause title of petition.

Heard learned counsel for the petitioner no. 2 and the learned A.P.P. for the State.

The petitioner no. 2 apprehends his arrest in connection with Darauli P.S. Case No. 215 of 2018, registered under Sections 498(A), 304(B) and 120(B) of the Indian Penal Code.

The accusation is that informant, Brij Bihari Bhagat,



performed the marriage of his adopted daughter with Prakash Bhagat, son of Mudrika Bhagat, R/O village- Gopalpur, P.S. Darauli, District Siwan in the year 2016. After marriage, she was being tortured by her husband and in-laws due to non-fulfillment of demand of dowry. On 20.09.2018, in the morning, informant received information that his adopted daughter has been killed by her husband and in-laws and her dead body was burnt putting on a Chouki.

Learned counsel for the petitioner submits that, admittedly, petitioner no. 2 is un-married brother in-law of the deceased, adopted daughter of the informant and he used to reside at Surat in connection with his job and at the time of occurrence, he was not present at his village but with ulterior motive, he has falsely been implicated in the present case. Moreover, Prakash Bhagat, husband of the deceased is in custody. Further submission is that in the case diary, which is up to paragraph 57, no specific overt act has been attributed against petitioner no.2.

Having regard to the facts and circumstances of the case, let the above named petitioner no.2 be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing



bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned A.C.J.M.-III, Siwan, in connection with Darauli P.S. Case No. 215 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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