

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 65624 of 2018

Arising Out of PS. Case No.-52 Year-2018 Thana- Shahpur District- Patna

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1. Kusumi Devi, Wife of Mahesh Rai,
 2. Pappu Rai, Son of Mahesh Rai,
Both resident of Village- Hetanpur Purwari Tola, P.S.- Shahpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha
Mr. Lovekush Kumar
For the Opposite Party/s : Mr. Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

7. 13-03-2019 Heard Sri Pankaj Kumar Sinha, learned counsel assisted by Sri Lovekush Kumar, learned counsel for the petitioners and Sri Rajeev Nayan, learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Shahpur P.S. Case No. 52 of 2018 registered for offence under Section 304(B)/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, 1961, have prayed for grant of bail in the event of their arrest or surrender.

Learned counsel for the petitioners submits that elder sister of the deceased is daughter-in-law of petitioner no. 1 (also wife of petitioner no. 2) and she is living peacefully in her in-



laws house and as such, it was not expected that the daughter-in-law (deceased) of petitioner no. 1 would have been killed by petitioners. He further submits that husband is already in custody. On aforesaid ground, a prayer has been made for passing favourable order.

In this case, earlier case diary was called for, which has been received and in paragraph – 17 of the case diary, statement of elder sister of the deceased i.e. wife of petitioner no. 2 has been recorded, which reflects about involvement of petitioners. Moreover, petitioners are named in the F.I.R. with specific accusation of commission of offence under Section 304(B) of the Indian Penal Code. Accordingly, there is no need to entertain the prayer for anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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