

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2008 of 2019

Arising Out of PS. Case No.-189 Year-2018 Thana- ALOULI District- Khagaria

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1. Kailash Yadav, Son of Rambadan Yadav.
 2. Sunita Devi, W/O Kailash Yadav.
 3. Siromani Devi, W/O Prakash Yadav.
 4. Prakash Yadav, S/O Rambadan Yadav. All residents of Village- Satghatta,
P.S. Alauli, District- Khagaria.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Shekhar Kumar Singh, Advocate.
For the O.P.	:	Mr. Kumar Virendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-01-2019 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 304(B) and 201/34 of the IPC.

The prosecution story, in brief, is that the informant married her daughter Kajal Devi with co-accused Sintu Yadav in the month of March according to Hindu rites and customs. After some time, the accused persons used to demand dowry of Rs. 1,00,000/- and a Motorcycle. On 22.06.2018 co-accused Krishna Yadav, Dewar of her daughter informed her on phone that her daughter was ill and she was admitted in private



Hospital at Village-Roun on which she alongwith her husband came to Village-Roun but did not find her daughter admitted in any Hospital and when she went to the matrimonial home of her daughter, the Villagers disclosed that the accused persons had assaulted her and committed her murder by strangulating her due to non-fulfilment of demand of dowry and also disposed her dead body by setting her on fire.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have been made accused in the present case due to mistake of fact. The petitioner no. 1 is cousin father-in-law, petitioner no. 2 is cousin mother-in-law, petitioner no. 3 is mother-in-law and petitioner no. 4 is father-in-law of the deceased. They are separate in mess and property from the husband of the deceased. They have no concern with the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Alauli P.S. Case No. 189 of 2018, corresponding to G.R. No. 1679 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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