

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79987 of 2019

Arising Out of PS. Case No.-115 Year-2014 Thana- UJIYARPUR District- Samastipur

1. BISHESHWAR SHARMA S/o Late Grenalal Sharma R/o village- Baikunthpur Baranda, P.S.- Ujyarpur, District- Samastipur
2. Nirmala Devi W/o Bisheshwar Sharma R/o village- Baikunthpur Baranda, P.S.- Ujyarpur, District- Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur

For the Opposite Party/s : Ms. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-12-2019 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in connection with
Ujyarpur P.S. Cae No. 115 of 2014, instituted for the offence
under Section(s) 498A, 307,304B/34 of the Indian Penal Code
and Sections 3/4 of the Dowry Prohibition Act.

It is submitted by petitioners' counsel that they are
innocent persons and have committed no offence. It is further
submitted that petitioner Nos.1 and 2 are father-in-law and
mother -in-law respectively of the informant and specific
allegation of pouring K-oil on the body of informant and lit
matchis is against husband of the deceased, who has already



been acquitted by the learned A.D.J. IV, Samastipur Vide S.T. No. 4 of 2015. Learned counsel further pointed out that petitioners are separate in mess and business from the husband of the informant and they have got no concern with them. It has further been submitted that, in fact, the deceased was burnt in course of boiling milk and this fact has also been supported by several witnesses in the case diary. Learned counsel further submitted that petitioners are having no criminal antecedents. Petitioners' counsel has also placed on record the medical prescription to show that petitioner nos. 1 and 2 are suffering from diseases.

The learned APP for the State opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the court below within four (04) weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **SDJM, Dalsingsarai, Dist. Sasmastipur** in connection with **Ujiyarpur P.S. Case No. 115 of 2014** subject to the conditions as laid down under



Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

U			
---	--	--	--

