

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66648 of 2018

Arising Out of PS. Case No.-168 Year-2018 Thana- PHULWARIYA District- Gopalganj

1. Parwati Devi @ Parbati Devi and Anr Wife of Sanjay Singh,
2. Motilal Prasad @ Motilal Singh Son of Lahawar Bhagat, Both 1and2
Resident of Village-Tandwa, P.S.-Phulwaria, District-Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No-5

For the Opposite Party/s : Mr.Sri Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Phulwaria @ Fulwaria P.S. Case No. 168 of 2018 (G.R. No. 3174 of 2018) registered for the offence punishable under Sections 304B, 325 and 34 of the Indian Penal Code.

The allegation is of torture for non-fulfillment of dowry demand soon before death and commission of dowry death. The occurrence allegedly took place on 10.07.2018 and



the FIR was lodged on 15.07.2018.

Submission is that father of the deceased has lodged UD case stating therein that victim died of illness and he has no grievance against anyone. The husband of the victim is already in custody.

After hearing the parties and considering the facts of this case, let the petitioner No.1, Parwati Devi@ Parbati Devi, who is wife of the brother of the husband of the deceased in the event of her arrest or surrender before the Court below within a period of four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIII, Gopalganj in connection with Phulwaria @ Fulwaria P.S. Case No.168 of 2018 (G.R. No. 3174 of 2018), subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

Petitioner No.2, Motilal Prasad @ Motilal Singh, who is father-in-law, considering the allegation, I am not inclined to



grant anticipatory bail rather in the event of his surrender before
the Court below within three weeks, his prayer for regular bail
shall be considered without being prejudiced by this order.

(Birendra Kumar, J)

Sanjeev/-

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