

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73775 of 2018

Arising Out of PS. Case No.-569 Year-2017 Thana- SHERGHATI District- Gaya

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1. Geeta Devi, w/o. Bhola Yadav
 2. Bhola Yadav, son of Late Baleshwar Yadav
 3. Golden Yadav & Golden Kumar, son of Bhola Yadav
all resident of village Mohandih, P.S. Dobhi, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad

For the Opposite Party/s : Mr.Chaubey Jawahar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 06-02-2019

As prayed, learned counsel for the petitioners is permitted to correct the date “ 02.10.2017” typed inadvertently at para 10 of the anticipatory bail petition as “20.02.2017”, in course of the day.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304(B)/34 IPC registered in connection with Sherghati (Dobhi) P.S. Case No. 569 of 2017.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the mother-in-law, father-in-law and the brother-in-law of the deceased lady. It is submitted that the petitioners have been residing separately from the deceased and her husband since 20.02.2017 after they were allotted half portion of the house. It is submitted that the petitioner no. 3 has not been named in the fardbeyan whatsoever, nor there is any accusation of demand for dowry by him and his name has simply been added in the FIR, who has recently crossed the age of 18 years.

4. Learned APP refers to para 55 of the case diary, according to which the process under Sections 82 and 83 have been concluded,

5. Under the above circumstances, the anticipatory bail petition is not maintainable and stands dismissed.



6. Considering the submission that no accusation whatsoever has been made against petitioner no. 3, if he surrenders and seeks regular bail before the learned Court below the same shall be considered on its own merit in accordance with law on the same day, without being prejudiced by any observation in the present order.

Chandran/-

(Vikash Jain, J)

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