

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3217 of 2020

Arising Out of PS. Case No.-166 Year-2019 Thana- SAHAR District- Bhojpur

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1. Shailendra Singh, Son of Late Ramprit Singh Resident of Village - Muzafarpur, P.S.- Sahar, District - Bhojpur
 2. Vikki Kumar, Son of Shailendra Singh Resident of Village - Muzafarpur, P.S.- Sahar, District - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case as per the written report of Asha Devi submitted to the Station House Officer of Sahar Police Station is to the effect that the informant's daughter was married with co-accused Amresh Kumar, the son of petitioner no. 1 but subsequent to the marriage, there was further dowry demand and for non-fulfillment of the same, she was being assaulted at the hands of accused persons. On 21.06.2019 the informant and her husband went to the house of the petitioners for resolving



the issue when the accused persons including the petitioners put towel around the neck of the husband of the informant, as a result, he fell down and got unconscious. It is alleged that the accused persons dashed the head of the husband against wall, though, he was taken to hospital but he subsequently died.

It is submitted by learned counsel for the petitioners that for the occurrence of 21.06.2019, the FIR was lodged on 30.06.2019, after death of the husband of the informant. The postmortem report does not suggest any external or internal injury on the body of the deceased and hence, it does not corroborate the accusation of assault and considering the same, co-accused Sailesh Kumar, the other son of petitioner no. 1, has been granted bail by Co-ordinate bench vide order dated 25.11.2019 passed in Cr. Misc. No. 74272 of 2019.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the fact that the accusation being not corroborated by medical opinion and the co-accused has been granted bail by Co-ordinate bench of the Court, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from



today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sahar P.S. Case No. 166 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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