

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9897 of 2020

Arising Out of PS. Case No.-1112 Year-2019 Thana- NAWADA District- Nawada

-
1. DINESH CHOUDHARY Son of Girja Choudhary Resident of Loharpura, P.S. Kadirganj (O.P.) Nawada, District Nawada.
 2. Raj Kumar Choudhary Son of Girja Choudhary Resident of Loharpura, P.S. Kadirganj (O.P.) Nawada, District Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsels for the parties.

The petitioners being elder brothers of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B and 201/34 of the IPC.

The prosecution case as per the written report of Ramashray Choudhary submitted to the SHO, Kadirganj Police Station is to the effect that the informant's daughter, namely, Kanchan Devi was married with Ranjit Choudhary in March, 2018. It is alleged that on 20.9.2019, all the in-laws people throttled her to death and threw the dead body in the newly constructed house. There is also accusation of demanding further dowry of Rupees One Lakh and gold chain.



It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against the entire in-laws family members. Though the postmortem report reflects death by hanging but the petitioners claim to be separate from the husband of the victim. It is further submitted that the mother of the petitioners namely Sumitra Devi has been granted bail vide order dated 19.12.2019 passed in Cr. Misc. No. 83278 of 2019 by a Co-ordinate bench of this Court.

It is submitted by learned counsel for the informant that within two years of marriage, the daughter of the informant has been killed and the in-laws people were demanding further dowry.

Considering the fact that the thrust of accusation is against the husband of the victim and similarly situated co-accused has been granted bail by a Co-ordinate bench of this court coupled with statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada in connection with Nawada Town



(O.P. Kadirganj) P.S. Case No.1112 of 2019 subject to the
conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

