

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16970 of 2020**

Arising Out of PS. Case No.-236 Year-2018 Thana- MUSAHARI District- Muzaffarpur

1. RAJEEV KUMAR @ RAJEEV TAHKUR @ RAJEEV KUMAR THAKUR  
Son of Kapileshwar Thakur Resident of Village- Chainpur, Kathauliya  
(West), P.S.- Baruraj, District- Muzaffarpur.
2. Pushpa Devi Wife of Rajeev Thakur Resident of Village- Chainpur,  
Kathauliya (West), P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Ranjan  
For the Opposite Party/s : Mr. Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      28-08-2020                      The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners and Sri Ashok Kumar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Mushari PS case no. 236 of 2018 registered for the offences punishable under Section 304(B)/34 of Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having killed the deceased victim lady, whose marriage was solemnized with the



co-accused person namely Sanjeev Thakur on 23.06.2018 according to Hindu rites and rituals, on account of non-fulfilment of the demand for dowry of a sum of Rs. 1 lac.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. It is further submitted that the petitioner no. 1 is the elder brother of the husband of the deceased victim lady and the petitioner no. 2 is the sister-in-law of the husband of the deceased victim lady. It is further submitted that the petitioners do not have anything to do with the alleged occurrence and infact, they have stated in paragraph no. 11 of the present petition that they are not having any concern with the family affairs of the deceased victim lady and her husband.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioners and taking into account the fact that the petitioners are the elder brother and sister-in-law of the husband of the deceased victim lady, no specific allegation has been levelled by the informant, as against them, apart from the fact that they are having a clean antecedent, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly,



the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Sub Judge-VIth, Muzaffarpur in connection with Mushari PS case no. 236 of 2018 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

It is needless to state that the grant of anticipatory bail to the petitioners herein shall not be construed to be a precedent, as far as consideration of the case of the other accused persons for grant of bail is concerned.

**(Mohit Kumar Shah, J)**

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