

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30634 of 2021

Arising Out of PS. Case No.-273 Year-2016 Thana- RUNISAIDPUR District- Sitamarhi

1. MURARI THAKUR Son of Late Lal Babu Thakur Resident of Village - Rabasi, P.S.- Riga, District - Sitamarhi.
2. Renu Devi Wife of Muari Thakur Resident of Village - Rabasi, P.S.- Riga, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 304B/34 of the Indian Penal Code.

Allegation against the petitioners is of committing torture and caused death of the victim due to non-fulfillment of demand of dowry.

Earlier prayer for anticipatory bail of the petitioners was filed and the same was withdrawn vide order dated 26-04-2017



passed by a coordinate bench of this court in Cr. Misc. No. 14800 of 2017 with liberty to the petitioners to file an appropriate application for grant of regular bail. The said order is Annexure-1 to the present application. This is the second anticipatory bail application on behalf of the petitioners.

It has been submitted that the petitioners have got no criminal antecedent. The petitioner Nos. 1 and 2 are Nandoshi and sister in law of the deceased respectively. In course of trial, the informant of the case has retracted from his earlier statement made in the FIR. During trial, the informant has stated that the deceased died due to accidental fire. The deposition of the informant is Annexure-3 to the present application. It has further been submitted that other co-accused i.e. mother-in-law and father-in-law of the deceased have already been acquitted by the trial court.

After some argument, learned counsel for the petitioners seeks permission to withdraw this application with liberty to file regular bail application before the court below.

Permission is granted.

Considering the aforesaid facts and circumstances, the present application stands dismissed as withdrawn with liberty to the petitioners to surrender before the court below and pray



for regular bail. In case, the petitioners surrender and pray for regular bail, the court below shall consider the submission advanced by the petitioners, as referred above, and pass an appropriate order in accordance with law, preferably, on the same day.

(Sudhir Singh, J)

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