

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27368 of 2020

Arising Out of PS. Case No.-132 Year-2018 Thana- DERNI BAZAR District- Saran

1. Babi Kumari @ Beby Kumari D/O Daresh Sah R/O Village - Manopur Bela, P.S. - Derni, District - Saran.
2. Jhamilal Sah @ Jhamlal Sah S/O Late Mosafir Sah R/O Village - Manopur Bela, P.S. - Derni, District - Saran.
3. Kanhaiya Kumar @ Kanhai Sah Dhaneshwar Sah R/O Village - Manopur Bela, P.S. - Derni, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-02-2021 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Derni P.S. Case No.132 of 2018, registered under sections 304B and 34 of the of Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the F.I.R, the in-laws of the daughter of the informant including the petitioners herein are stated to have abused and assaulted the informant's daughter for non-fulfillment of dowry to the effect of a motorcycle and



gold chain, of killing her and disposing of her body.

It is submitted by learned counsel for the petitioners that the petitioners happen to be the sister-in-law (Nanad), cousin uncle-in-law and neighbour of the deceased. The allegations against the petitioners are false and concocted. It is submitted that the father-in-law and mother-in-law of the deceased have been enlarged on bail vide order dated 29.7.2019 passed in Cr. Misc. no.46263 of 2019 and order dated 11.12.2019 (Annexure-2) passed in Cr.Misc. no.80364 of 2019. Further the husband of the deceased is in judicial custody. The petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the relationship between three petitioners and the deceased, grant of bail to the father- in- law and mother-in-law of the deceased and husband of the deceased being in custody, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Derni P.S. Case



No.132 of 2018, they will be enlarged on bail on each of them furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IXth, Saran at Chapra subject to the conditions as laid down in section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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