

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40898 of 2020

Arising Out of PS. Case No.-94 Year-2020 Thana- SIDHWALIYA District- Gopalganj

1. PARMESHWAR PATEL @ PARMESHWAR SINGH @ PARMESHWAR
Son of Late Sigasan Patel Resident of Village- Khajuria, P.S.- Sidhwaliya,
District- Gopalganj.
2. SANI KAPOOR @ SAMI KAPOOR Son of Parmeshwar Patel Resident of
Village- Khajuria, P.S.- Sidhwaliya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate
For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 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 Sidhwaliya PS case no. 94 of 2020 registered
for the offences punishable under Sections 304(B), 201/34 of
Indian Penal Code.

The allegation is regarding the deceased victim
lady having been killed by the accused persons on account of
non-fulfilment of the demand for dowry.

The learned counsel for the petitioners has
submitted that the main accused is the husband of the deceased
victim lady who has already surrendered before the learned



court below, whereafter the mother-in-law of the deceased victim lady has been granted bail by a co-ordinate Bench of this Court vide order dated 15.03.2021, passed in Cr. Misc. no. 30243 of 2020. It is further submitted that petitioner no. 1 is the father-in-law of the deceased victim lady and petitioner no. 2 is the brother-in-law of the deceased victim lady, who are having clean antecedent and are in fact not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer of bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the fact that the husband of the deceased victim lady is already behind bars and a general and omnibus allegation has been levelled against the petitioners herein, apart from the fact that the mother-in-law of the deceased victim lady has already been granted bail, 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 J.M. 1st class, Gopalganj in connection with Sidhwaliya PS case no. 94 of 2020 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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