

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47190 of 2021

Arising Out of PS. Case No.-524 Year-2019 Thana- SUGAULI District- East Champaran

1. JITENDRA UPADHYAY Son of Late Daroga Upadhyay Resident of Village - Areraj, Police Station - Areraj, District - East Champaran.
2. Mukesh Kumar Upadhyay @ Babloo Son of Jitendra Upadhyay Resident of Village - Areraj, Police Station - Areraj, District - East Champaran.
3. Bipin Kumar @ Dablu Upadhyay Son of Jitendra Upadhyay Resident of Village - Areraj, Police Station - Areraj, District - East Champaran.
4. Karuna Upadhyay @ Karuna Devi Wife of Mukesh Kumar Upadhyay @ Babloo Resident of Village - Areraj, Police Station - Areraj, District - East Champaran.
5. Saloni Upadhyay @ Priyanka Devi Wife of Bipin Kumar @ Dablu Upadhyay Resident of Village - Areraj, Police Station - Areraj, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Ranjan
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP
for the Informant	:	Mrs. Rashmi Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioners are apprehending their arrest in a case
registered under Section 304(B) of the Indian Penal Code.

Allegation against the accused persons is of



committing torture and assault and thereafter caused death of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner no. 1 is father in law, petitioner nos. 2 and 3 are brother-in-law and petitioner nos. 4 and 5 are sister-in-law, of the deceased. After investigation, the police submitted final form due to lack of evidence. The Court below has differed with the said police report and taken cognizance. The petitioners are separate in mess and property from the husband of the deceased. They have got no concern with the alleged occurrence.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, East Champaran at Motihari in connection with
Sugauli P.S. Case No. 524 of 2019, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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