

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2983 of 2021

Arising Out of PS. Case No.-264 Year-2019 Thana- KAKO District- Jehanabad

1. Dilip Prasad, aged about 55 (M), years, Son of Late Devnandan Yadav, Resident of Village-Deoraj Bigha, P.S.-Kako (Bhelawar), District-Jehanabad.
2. Lalita Devi, aged about 50 years (F), Wife of Dilip Prasad Resident of Village-Deoraj Bigha, P.S.-Kako (Bhelawar), District-Jehanabad.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Paras Nath, Advocate.
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application filed on behalf of petitioner no. 1, namely, Dilip Prasad, as he has been taken into judicial custody in connection with Kako (Bhelawar) P.S. Case No. 264/019, pending in the court of learned C.J.M. Jehanabad.

Permission is accorded.

Accordingly, the anticipatory bail application of petitioner no. 1, namely, Dilip Prasad is dismissed as withdrawn.

Heard learned counsel for the petitioner no. 2 and



learned A.P.P. for the State through Virtual mode.

Now, the petitioner no. 2 is apprehending her arrest in a case for the offence registered under Sections 304(B), 201/34 of the I.P.C. and $\frac{3}{4}$ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner no. 2 killed the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner no. 2 that she has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against her. She has falsely been implicated in the present case. She is the mother-in-law of the deceased. She is separate in mess and property from the husband of the deceased. She has got no concern with the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner no. 2 is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances of the case, let the petitioner no. 2 above named, (except petitioner no. 1, namely, Dilip Prasad) in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on her personal



bond to the satisfaction of the learned C.J.M., Jehanabad, in connection with Kako (Bhelawar) P.S. Case No. 264/019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner no. 2 shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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