

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37985 of 2020

Arising Out of PS. Case No.-129 Year-2020 Thana- PHULWARIYA District- Gopalganj

1. Panpati Devi W/O Babulal Gupta Resident Of Village- Baniya Chhapar, P.S.- Fulwariya, Distt- Gopalganj.
2. Rakesh Gupta @ Rakesh Kumar Gupta S/O Babulal Gupta Resident Of Village- Baniya Chhapar, P.S.- Fulwariya, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey- Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 06-07-2021 Heard Bimlesh Kumar Pandey, the learned Advocate
for the petitioners and Md. Aslam Ansari, the learned APP for
the State.

The petitioners who are the mother-in-law and brother-in-law of the deceased respectively seek bail in anticipation of their arrest in connection with Fulwariya P. S. Case No.129 of 2020, instituted for the offences under Section 304B/ 34 of the Indian Penal Code.

The learned Advocate for the petitioners has submitted that the accusation is general and omnibus. In fact, the deceased and her husband were living separately from the petitioners ever since partition took place in the family in the



Year 2011. The deceased was married to the son of the petitioner no.1 sometimes in the month of March, 2013.

It has also been stated that more than seven years have elapsed since the marriage of the deceased with her husband. The deceased is said to have died because of cardiac arrest. She has been suffering from heart ailment from before her marriage.

The husband of the deceased is stated to be in custody.

Considering the afore-stated facts, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Shri Rajiv Pandey, learned Judicial Magistrate, 1st Class, Gopalganj in connection with Fulwariya P. S. Case No.129 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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