

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38711 of 2020

Arising Out of PS. Case No.-34 Year-2020 Thana- PATEPUR District- Vaishali

1. RUBI KUMARI, Female, aged about 20 years, W/o Dhiraj Kumar, D/o Late Bengali Sah R/o Village- Shahbazpur Puraina, P.S.- Patepur, District- Vaishali.
2. Chanda Kumari, Female, aged about 18 years old, D/o Late Bengali Sah R/o Village- Shahbazpur Puraina, P.S.- Patepur, District- Vaishali.
3. Santosh Sah, Male, aged about 35 years old, S/o Late Bengali Sah R/o Village- Shahbazpur Puraina, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Shankar Das

For the Opposite Party/s : Mrs. Pushpa Sinha No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2021 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.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application filed on behalf of the petitioner no. 3, Santosh Sah, as he has been taken into judicial custody in connection with Patepur P.S. Case No. 34/2020, pending in the court of learned Assistant Chief Judicial Magistrate-XIV, Vaishali at Hajipur.



Permission is accorded.

Accordingly, the present anticipatory bail application filed on behalf of the petitioner no. 3, Santosh Sah, is dismissed as withdrawn.

Now, the petitioner nos. 1 and 2 are apprehending their arrest in a case for the offence registered under Sections 304(B)/34 of the I.P.C.

The prosecution story, in brief, is that the accused persons including the petitioner nos. 1 and 2 killed the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner nos. 1 and 2 that they have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against them. They have falsely been implicated in the present case. The petitioner no. 1 is the married sister-in-law (Nanad) and petitioner no. 2 is the unmarried sister-in-law (Nanad) of the deceased. They are separate in mess and property from the husband of the deceased. They have got no concern with the alleged occurrence. The husband of the deceased is in custody.

On behalf of the learned counsel for the State, it has been submitted that the petitioner nos. 1 and 2 are named in the



F.I.R/ complaint case.

Considering the aforesaid facts and circumstances of the case, let the petitioner nos. 1 and 2 above named, (except petitioner no. 3 Santosh Sah) 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 their personal bond to the satisfaction of the learned Assistant Chief Judicial Magistrate-XIV, Vaishali at Hajipur, in connection with Patepur P.S. Case No. 34/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner nos. 1 and 2 shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each 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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