

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39315 of 2020

Arising Out of PS. Case No.-127 Year-2020 Thana- NOORSARAI District- Nalanda

1. Kishori Prasad, aged about 55 years (Male), Son Of Late Rameshwar Prasad, Resident Of Village-Pandey Chak, Police Station-Noorsarai, District – Nalanda.
2. Anushi Devi @ Anshu Devi, aged about 52 years (Female), Wife Of Kishori Prasad, Resident Of Village-Pandey Chak, Police Station-Noorsarai, District – Nalanda.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Anil Kumar Singh, Advocate.
For the State	:	Mr. A.G.
For the Informant	:	Mr. Raj Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioners, learned counsel for the informant 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 petitioner no. 2, namely, Anushi Devi @ Anshu Devi, as she has already been taken into judicial custody in connection with Noorsarai P.S. Case No. 127 of 2020, pending in the court



of learned Chief Judicial Magistrate, Nalanda at Biharsharif.

Permission is accorded.

Accordingly, the present anticipatory bail application filed on behalf of petitioner no. 2, namely, Anushi Devi @ Anshu Devi, is dismissed as withdrawn.

Now the petitioner no. 1 is apprehending his 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 no. 1 killed the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner no. 1 that he has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against him. He has falsely been implicated in the present case. The petitioner is the father-in-law of the deceased. He is separate in mess and property from the husband of the deceased. He has got no concern with the alleged occurrence.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner no. 1 is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances of



the case, let the petitioner no. 1 above named (except petitioner no. 2, namely Anushi Devi @ Anshu Devi), in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Noorsarai P.S. Case No. 127 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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