

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4773 of 2021

Arising Out of PS. Case No.-45 Year-2020 Thana- KARPI District- Jehanabad

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1. VIVEK KUMAR SON OF SURESH PASWAN RESIDENT OF VILLAGE-MAKHMILPUR, PS- KARPI, DISTRICT- ARWAL
 2. RATUNA DEVI W/O SURESH PASWAN R/O VILLAGE-MAKHMILPUR, P.S.- KARPI, DIST.- ARWAL
 3. RUNA DEVI @ Runa Kumari D/O SURESH PASWAN RESIDENT OF VILLAGE- MAKHMILPUR, PS- KARPI, DISTRICT- ARWAL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-01-2021 Heard the learned counsel for the petitioners and Mrs. Anita Kumari Singh, the learned A.P.P. for the State.

At the outset, the learned counsel for the petitioners seeks to add the alias name of the petitioner no. 3.

Permission is granted.

Necessary correction be made during the course of the day.

The petitioners apprehend their arrest in connection with Karpi P.S. Case No. 45 of 2020 for the offence registered under Sections 304(B), 201 and 34 of the Indian Penal Code.

The allegation is regarding the accused persons



including the petitioners herein having killed the deceased victim lady on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in the case. The learned counsel for the petitioners has further submitted that the petitioners no. 2 & 3 are having clean antecedent, however, the petitioner no. 1 is an accused in one other case in which he is on bail. The learned counsel for the petitioners has further submitted that though the petitioner no. 1 is the brother-in-law, the petitioner no. 2 is the mother-in-law and the petitioner no. 3 is the sister-in-law of the deceased victim lady, however, the husband of the deceased victim lady is already in custody inasmuch as he has surrendered before the learned court below on 06.10.2020. It is thus submitted that as far as the petitioners are concerned, they were living separately from the deceased victim lady and her husband, as has been stated in paragraph nos. 7 and 8 of the present petition.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the



petitioners and taking into account the materials on record as also considering the fact that the husband of the deceased victim lady who happens to be the main accused in the present case, is already behind bars and therefore no prejudice will be caused to the prosecution in case the petitioners are granted the privilege of anticipatory bail, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Arwal in connection with Karpi P.S. Case No. 45 of 2020 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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